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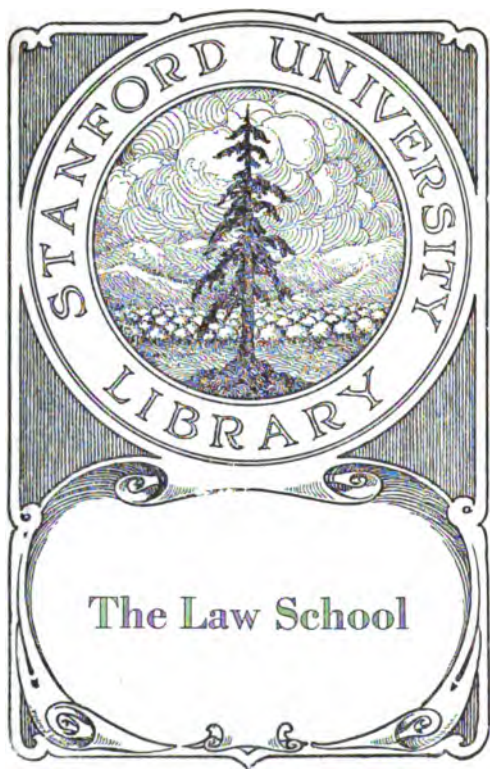
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ACTS AND JOINT RESOLUTIONS
OF THE
GENERAL ASSEMBLY

OF THE
State of South Carolina,
PASSED AT THE
SPECIAL SESSION OF 1873
AND
REGULAR SESSION OF 1873-74.

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of the Statutes at Large, Commencing with the Acts of 1871-72.

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ACTS OF THE GENERAL ASSEMBLY
OF THE
STATE OF SOUTH CAROLINA,

*Passed at the Special Session, which was begun and held at the
City of Columbia, on the Twenty-first day of October, A. D.
1873, and was adjourned without day on the 24th day
of November, A. D. 1873.*

FRANKLIN J. MOSES, Jr., Governor. R. HOWELL GLEAVES,
President of the Senate. SAMUEL J. LEE, Speaker of the House
of Representatives.

A. D. 1873.

AN ACT TO REPEAL SECTION FOUR (4) OF AN ACT ENTITLED No. 388.

"AN ACT TO RELIEVE THE STATE OF SOUTH CAROLINA OF ALL
LIABILITY FOR ITS GUARANTY OF THE BONDS OF THE BLUE
RIDGE RAILROAD COMPANY, BY PROVIDING FOR THE SECURING
AND DESTRUCTION OF THE SAME," APPROVED MARCH 2, 1872;
AND TO REPEAL SO MUCH OF SECTION 72, CHAPTER XII, TITLE
III, OF THE GENERAL STATUTES, AS AUTHORIZES THE STATE
AUDITOR TO GIVE NOTICE ANNUALLY TO EACH COUNTY AUDI-
TOR OF THE RATES PER CENTUM TO BE LEVIED FOR VARIOUS
STATE PURPOSES.

SECTION 1. *Be it enacted* by the Senate and House of Represen-
tatives of the State of South Carolina, now met and sitting in Gen-
eral Assembly, and by the authority of the same, That Section four
(4) of an Act entitled "An Act to relieve the State of South Caro-
lina of all liability for its guaranty of the bonds of the Blue Ridge
Railroad Company, by providing for the securing and destruction
of the same, approved March 2, 1872, providing for an annual
tax of three mills on the dollar, for the redemption of the revenue
bond scrip, be, and the same is hereby, repealed.

Repeal of
Section 4, levy-
ing annual tax
for redemption
of Revenue
Bond Scrip.

A. D. 1873.

Repeal of authority to State Auditor to give notice of rates per centum.

Comptroller General not to levy any tax without express authority

SEC. 2. That so much of Section seventy-two (72), Chapter XII, Title III, as directs that the State Auditor shall, on or before November fifteenth, annually, give notice to each County Auditor of the rates per centum authorized by law to be levied for various State purposes, be, and the same is hereby, repealed, and the Comptroller General is hereby forbidden to levy any tax for any purpose whatever, unless expressly hereafter authorized so to do by statute.

Approved October 22, 1873.

No. 389. AN ACT TO REVIVE, RENEW AND AMEND AN ACT ENTITLED
"AN ACT TO INCORPORATE THE HOME INSURANCE COMPANY, OF CHARLESTON."

Charter of Home Insurance Company renewed and amended.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act of the General Assembly of the said State, entitled "An Act to incorporate the Home Insurance Company, of Charleston," be, and the same is hereby, revived, renewed and extended, from the passage hereof, with the following alterations and amendments, viz: Section 5, strike out the words "one year" and insert in lieu thereof the words "two years." Section 8, after the word "respondentia," insert the words "or other securities." Section 14, strike out the words "one year" and insert in lieu thereof "two years."

Approved, November 7, 1873.

No. 390. AN ACT TO INCORPORATE THE REFORM APOLLO SOCIETY, OF
CHARLESTON, SOUTH CAROLINA.

Corporators.

Corporate name.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Nathaniel T. Spencer, Robert Howard, Jr., Alfred F. Castion, Edward P. Wall, Jr., Theodore L. Castion, Peter Grant, Eugene M. Castion, Claudius Elliott, their associates and successors, are hereby made and created a body politic and corporate, under the name and style of "The Reform Apollo Society, of Charleston, South Carolina."*

SEC. 2. And said corporation shall have power to make by-laws not repugnant to the laws of the land, and shall have succession of officers and members according to their election; and to keep and use a common seal, the same to alter at will; to sue and be sued in any Court in this State; to have and enjoy every right, power and privilege incident to such corporations. And it is hereby empowered to acquire, retain and enjoy all such property, real and personal, as may be given or bequeathed to, or purchased by it; and to sell, convey or mortgage the same, or any part thereof, at will.

A. D. 1873.
Powers and
privileges.

SEC. 3. That said corporation may from time to time invest moneys, assets or any property which it may acquire, in such real and personal property, bonds, stocks, or in sureties, in such sums and on such terms and conditions as it may deem proper; and to execute bonds, &c., under its corporate seal: *Provided*, That the maximum value of all property held and owned by said corporation shall not exceed thirty-five thousand (35,000) dollars.

Investment
of money, &c.

SEC. 4. This Act shall continue in force until repealed; may be given and taken in evidence, without being especially pleaded.

Approved, November 7, 1873.

AN ACT TO INCORPORATE THE PLEASANT HILL BAPTIST CHURCH, OF EDGEFIELD COUNTY. No. 391.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Lymus Simmons, John A. Barker, Augustus Simkins, David Graham, Paris Simkins, and all persons who now are, or who hereafter shall or may become, members of the said society, shall be, and they are hereby, incorporated and declared to be a body corporate, by the name and style of the Pleasant Hill Baptist Church, of Edgefield County; and by that said name shall have succession of officers and members, and have a common seal.

Corporators.

Corporate
name.

SEC. 2. That the said corporation shall have power to purchase, receive and possess any real or personal estate, for the purposes of this Act, not exceeding in value the sum of ten thousand dollars, or to sell the same; and to make such rules and by-laws, not repugnant to law, as may be thought necessary and expedient. Said society shall have all power, and be subject to all the liabilities and

Powers and
privileges.

A. D. 1873. restrictions of the Act to regulate the formation of corporations, so far as applicable.

SEC. 3. That this Act be deemed a public Act, and shall continue in force until repealed.

Approved November 7, 1873.

No. 392. AN ACT TO CHARTER AND MAKE PUBLIC KIRBY'S CROSS ROAD TO THE BIG PEE DEE RIVER ROAD, MARION COUNTY.

Kirby's Cross
Road chartered
and made
public.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Kirby's Cross Road to the Big Pee Dee River Road, in Marion County, be, and the same is hereby, chartered and made public.

Approved November 7, 1873.

No. 393. AN ACT TO INCORPORATE THE GOODWILL PRESBYTERIAN CHURCH AND EBENEZER PRESBYTERIAN CHURCH, OF SUMTER COUNTY.

Corporators.

Corporate
names.

Powers and
privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the "Goodwill Presbyterian Church, of Sumter County" and "Ebenezer Church, of Sumter County," be, and they hereby are declared to be, bodies politic and corporate, under the name and style of the "Goodwill Presbyterian Church, of Sumter County," and the "Ebenezer Presbyterian Church, of Sumter County," with all the rights and privileges, and subject to all the liabilities that now are, or may be hereafter, provided for by law for corporations of like nature.

SEC. 2. That this Act shall be deemed a public Act, and remain in force until repealed.

Approved November 7, 1873.

No. 394. AN ACT TO MAKE APPROPRIATION FOR THE PAYMENT OF EXPENSES OF PRINTING.

\$75,000 appro-
priated for
printing Immi-
gration Report.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of seventy-five thousand dollars be, and is hereby, appropriated for

the compilation and printing of the Report on Immigration ordered by the General Assembly at the session 1872-73.

A. D. 1873.

SEC. 2. That the sum of twenty-five thousand dollars be, and is hereby, appropriated for the payment of printing the Decisions of the Supreme Court.

\$25,000 appropriated for printing Supreme Court Decisions.

SEC. 3. That the sum of twenty-five thousand dollars be, and is hereby, appropriated for the printing of the tax duplicates, returns, and other necessary papers for the assessment and collection of taxes for the fiscal year 1873-74.

\$25,000 appropriated for printing tax duplicates.

SEC. 4. That the State Treasurer be, and he is hereby, authorized and directed to issue to the Republican Printing Company certificates of indebtedness to the amount of the above appropriations, and also for the balance due said company, one hundred thousand five hundred and eighty-nine dollars sixty-three cents, with interest, appropriated by the General Assembly for printing at the session of 1872-73.

State Treasurer to issue certificates of indebtedness for above appropriations. Also for balance due said company, with interest.

SEC. 5. That the sums hereby appropriated be paid on the certificates of the Clerks of the two Houses, said certificates of indebtedness to be receivable in payment of all dues to the State, and redeemable at the State Treasury out of the incoming taxes, except taxes levied for school purposes and interest on the public debt.

Appropriations on whose order payable. Certificates of indebtedness receivable for taxes, and redeemable in currency.

Approved November 19, 1873.

AN ACT TO MAKE AN APPROPRIATION TO PAY THE CLAIMS OF THE SOUTH CAROLINA BANK AND TRUST COMPANY AGAINST THE STATE OF SOUTH CAROLINA. No. 395.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of one hundred and twenty-five thousand dollars be, and the same is hereby, appropriated for the payment of pay certificates issued by the authority of the General Assembly, Bills Payable, or Treasury notes of the late State Treasurer, Niles G. Parker, interest on loans and other evidences of indebtedness, held as claims by the South Carolina Bank and Trust Company against the State of South Carolina.

\$125,000 appropriated for payment of claims of South Carolina Bank and Trust Company.

SEC. 2. That the State Treasurer be, and he is hereby, directed and required, on the presentation by the President of the South Carolina Bank and Trust Company, Hardy Solomon, Esq., or his authorized agent, at his counter, of the said claims of the said Bank and Trust Company, to pay the same, with all lawful interest that may

State Treasurer to pay said claims, with lawful interest.

A. D. 1873.

To retain
money from in-
coming taxes
for that pur-
pose. .

have accrued upon said claims: *Provided*, That the amount of said claims and interest shall not exceed the appropriation herein made.

SEC. 3. That the State Treasurer be, and he is hereby, directed and required to retain in the Treasury sufficient money, from incoming taxes, to meet and pay the demands or the claims of the said Bank and Trust Company as herein provided for.

Approved November 19, 1873.

No. 396. AN ACT TO INCORPORATE THE ENTERPRISE FIRE ENGINE COMPANY, OF COLUMBIA, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Enterprise Fire Engine Company, and the several persons who are now, or may hereafter be, officers and members thereof, and their successors, officers and members, be, and they are hereby declared to be, a body politic and corporate, by the name and title of the Enterprise Fire Engine Company, and that the said corporation may, by its corporate name, sue and be sued, implead and be impleaded, in the Courts of this State, and shall be able and empowered, in law, to purchase, have, hold, enjoy and possess any goods, chattels, lands, tenements or real estate of whatever kind or nature soever, and the same, or any part thereof, to sell, alien or convey at their will and pleasure: *Provided, however*, That the property so to be held shall not exceed the annual value of fifteen thousand dollars; and the said corporation shall have power to make a common seal, with power to change and alter the same as often as they shall deem necessary.

Corporators.

Corporate
name.

Powers and
privileges.

SEC. 2. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved November 19, 1873.

No. 397. AN ACT TO AUTHORIZE AND PERMIT THE SULLIVAN'S ISLAND COMPANY TO ERECT AND BUILD A WHARF AND FERRY-HOUSE IN THE COVE OF MOULTRIEVILLE, ON SULLIVAN'S ISLAND.

Sullivan's Is-
land Ferry
Company to
erect wharf and
ferry house in
the cove of
Moultrieville.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same: That the Sullivan's Island Ferry Company be, and are hereby, authorized

and permitted to erect and build a wharf and ferry-house in the Cove of Moultrieville, on Sullivan's Island, and to use and occupy the same for and during the corporate existence of the said company.

A. D. 1873.

Approved November 19, 1873.

AN ACT TO ENABLE RICHARD C. WATTS TO APPLY FOR ADMISSION TO THE BAR. No. 398.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Richard C. Watts, a minor, of the age of twenty years, be, and he is hereby, permitted to apply for admission to the bar, forthwith upon the passage of this Act, and, if found qualified, he shall be admitted to all the privileges granted by Section 2, page 502, of the Revised Statutes of South Carolina, to persons applying for permission to practice as attorney at law.

Richard C. Watts enabled to apply for admission to the bar.

If qualified, entitled to practice as attorney at law.

Approved November 19, 1873.

AN ACT TO AMEND SECTIONS 14, 21 AND 35 OF THE ACT ENTITLED "AN ACT TO REGULATE THE MANNER OF DRAWING JURIES," APPROVED MARCH 10, 1871, BEING SECTIONS 17 AND 24 OF CHAPTER CXI, AND SECTION 3 OF CHAPTER CXXXIX OF THE GENERAL STATUTES. No. 399.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 14 of the Act entitled "An Act to regulate the manner of drawing juries," approved March 10, 1871, being Section 17, Chapter CXI of the General Statutes, be, and the same is hereby, amended by inserting the word "twenty," in the second line, in lieu of the word "fifteen."

Jury law amended.

"Twenty" inserted in lieu of "fifteen."

SEC. 2. That Section 21 of said Act, being Section 24, Chapter CXI of the General Statutes, be amended so as to read as follows: "Whenever it may be necessary to summon jurors from the bystanders the Sheriff and Clerk shall each furnish to the presiding Judge a list containing as many names as there are jurors required, of persons duly qualified to serve as jurors, and the presiding Judge shall select therefrom those best fitted to serve as jurors, who

Jurors from bystanders—by whom and in what manner summoned.

A. D. 1873.

shall forthwith be summoned by the Sheriff to serve until discharged by order of the Court."

Grand jurors,
in case of defi-
ciency, how
summoned.

SEC. 3. That Section 35 of said Act, being Section 3 of Chapter CXXXIX of the General Statutes, be amended so as to read as follows: "In case of deficiency of grand jurors in any Court, a number of persons duly qualified to serve as such shall be summoned from the bystanders, and shall be selected in the same manner as provided in Section 2 of this Act."

Approved November 19, 1873.

No. 400. AN ACT TO INCORPORATE THE HUNTER'S CHAPEL BAPTIST CHURCH, IN BARNWELL COUNTY.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. W. Hunter, J. B. Hunter, J. W. Brown, M. Studley, J. G. Renty, John Blume, G. M. Hunter, and all persons who now are, or who hereafter shall or may become, members of the said society, shall be, and they are hereby, incorporated and declared to be a body corporate, by the name and style of the Hunter's Chapel Baptist Church, in Barnwell County, and by that said name and style shall have succession of officers and members, and have a common seal.

Corporate
name.

Powers and
privileges.

SEC. 2. That the said corporation shall have power to purchase receive and possess any real or personal estate, not exceeding in value the sum of ten thousand dollars, and to sell, lease, or convey the same, and to make such rules and by-laws, not repugnant to law, as may be thought necessary and expedient, and may sue and be sued in any Court of this State.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved November 19, 1873.

No. 401. AN ACT TO AMEND CHAPTER CXXXI, PART IV, TITLE I, OF THE GENERAL STATUTES OF SOUTH CAROLINA.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Chapter CXXXI, Part IV, Title I, of the General Statutes of the State of South Carolina, be, and the same is hereby, amended by the following additional

Section, viz: "If any Circuit Solicitor, who shall, while in the public discharge of the duties of his office, be drunk or intoxicated, or in any extent disabled, by reason of the use of intoxicating liquors, from the proper discharge of his duties, shall be held guilty of a misdemeanor, and, upon conviction thereof, shall be punished by fine of not less than one hundred or more than one thousand dollars, and imprisoned not less than one month or more than one year, in the discretion of the Court, and be dismissed from his office. And whenever it shall be brought to the attention of the Attorney General that any Circuit Solicitor has been charged with the offense mentioned in Section 1 of this Act, it shall be his duty to prepare a bill of indictment against such officer, and prosecute the same in the County where the offense was committed; and if said officer is duly convicted, he shall cause to be forwarded to the Governor of the State a record of such conviction, upon the receipt of which the Governor shall forthwith declare the said office to be vacant, and order an election to fill the same."

A. D. 1873.

Circuit Solicitors—punishment of, if disabled from intoxication to perform their duties.

Attorney General to prosecute Solicitors for intoxication.

If convicted, the Governor to declare office vacant and order new election.

Approved November 19, 1873.

AN ACT TO AMEND SECTION 32 OF CHAPTER XLII OF GENERAL STATUTES OF THE STATE OF SOUTH CAROLINA.

No. 402.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 32 of Chapter XLII of the General Statutes of the State of South Carolina be, and the same is hereby, amended by striking out the second proviso to the end of the Section, and inserting in lieu thereof the following: "*Provided*, That no Professor of the University shall receive any increase of salary on account of services rendered in said preparatory school."

Law relative to South Carolina University amended.

Professors of University not to receive additional pay for services in Preparatory School.

Approved November 19, 1873.

AN ACT TO EXPLAIN OR AMEND AN ACT ENTITLED "AN ACT TO AUTHORIZE ALIENS TO HOLD PROPERTY."

No. 403.

Whereas doubts have been suggested whether the Act to authorize aliens to hold property was intended to include corporations created under the laws, or by the authority of other States and nations; therefore,

Preamble.

A. D. 1873.

Foreign cor-
porations to
exercise all
rights and
privileges
granted to
aliens.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That corporations created under the laws or by the authority of other States and nations, were intended to have, and shall have and exercise all rights granted to aliens under the Act aforesaid, as fully as if they had been specially therein named.

Approved November 19, 1873.

No. 404. AN ACT TO PUNISH PERSONS FOR THE REMOVAL OR SECRETING OF PERSONAL PROPERTY LEVIED ON BY THE SHERIFF OR OTHER OFFICERS.

Fraudulent
secretion or re-
moval of per-
sonal property
under attach-
ment a misde-
meanor.

How punish-
able.

Proviso.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whoever, with intent to defraud, removes or secretes personal property, which has been attached or levied on by the Sheriff or any other officer authorized by law to make such attachment or levy, shall be held guilty of a misdemeanor, and, upon conviction, shall be punished by imprisonment in the County jail for a period not less than sixty days, nor more than one year, or by fine of not less than one hundred dollars nor more than two hundred: *Provided*, That the person whose property is attached or levied upon shall have been duly served with a copy of the writ of attachment.

Approved November 19, 1873.

No. 405. AN ACT TO CHANGE THE NAME OF NATHANIEL E. WALL AND CUYLER HAMILTON WALL TO NATHANIEL E. MCCOY AND CUYLER H. MCCOY.

Nathaniel E.
and Cuyler H.
Wall—names
changed to Mc-
Coy.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the names of Nathaniel E. Wall and Cuyler Hamilton Wall, of Beaufort County, be, and they are hereby, changed to Nathaniel E. McCoy and Cuyler H. McCoy, and that hereafter the said Nathaniel E. Wall and Cuyler Hamilton Wall shall be known and called Nathaniel E. McCoy and Cuyler H. McCoy.

Approved November 19, 1873.

AN ACT TO ENABLE T. MOULTRIE MORDECAI TO APPLY FOR
ADMISSION TO THE BAR.

A. D. 1873.

No. 406.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That T. Moultrie Mordecai, a minor under the age of twenty-one years, be, and he is hereby, permitted to apply for admission to the bar forthwith upon the passage of this Act, and if found qualified he shall be admitted to all the privileges granted by Section 2, page 502, of the Revised Statutes of South Carolina, to persons applying for permission to practice as attorneys at law.

T. Moultrie Mordecai may apply for admission to the bar.

If qualified, to practice as attorney-at-law.

Approved November 19, 1873.

AN ACT TO INCORPORATE THE COLORED BAPTIST CHURCH, OF
SUMMERVILLE.

No. 407.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Anthony Allston, A. C. Rivers, Shadrack Street, Chance Adams and Clinton Matthews, and their associates and successors, are hereby declared to be a body politic and corporate, in deed and in law, by the name and style of the "Colored Baptist Church, of Summerville," and by the said name shall have perpetual succession of officers and members, and a common seal, with power to change, alter and amend the same as often as the said corporation shall deem necessary.

Corporators.

Corporate name.

SEC. 2. That the aforesaid corporation shall be legally capable to purchase, have, hold, enjoy, possess, and retain to itself, in perpetuity, or for any term of years, any land for the purpose it shall consider necessary, or other property, not exceeding the value of twenty thousand dollars, (\$20,000,) or to sell or alien the same as the said corporation shall think fit; and by its corporate name to sue and be sued, implead and be impleaded in any Court of law or equity in this State, and to make such laws and by-laws for its government as shall not be repugnant to the laws of the land.

Powers and privileges.

SEC. 3 That this Act shall be deemed a public Act, and continue in force until repealed.

Approved November 19, 1873.

A. D. 1873. **AN ACT TO INCORPORATE THE ORANGEBURG LUTHERAN CHURCH,**
 No. 408. **OF ORANGEBURG.**

Corporators. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons who now are, or may hereafter become, members of the Orangeburg Lutheran Church, be, and they are hereby declared to be, a body politic and corporate, by the name and style of the "Orangeburg Lutheran Church."

Corporate name.

Powers and privileges. SEC. 2. That the said corporation shall have succession of trustees, officers and members according to their by-laws, and shall have power to make by-laws, not repugnant to the laws of the land; and to have, use and keep a common seal, and the same at will to alter; to sue and be sued, plead and be impleaded, in any of the Courts of the State; and to have and enjoy every right, power and privilege incident to such corporations; and they are hereby empowered to hold, retain, possess and enjoy all such property as they now have and possess or be entitled to, or which shall hereafter be given, bequeathed or devised to them, or in any manner acquired by them, and to sell, alien or transfer the same, or any part thereof.

SEC. 3. This Act shall be deemed a public Act, and remain in force until repealed.

Approved November 19, 1873.

No. 409. AN ACT TO INCORPORATE THE LOVE AND GOOD WILL SOCIETY, OF AIKEN COUNTY.

Corporators. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That C. F. Holland, D. Williams, Lewis Moore, Handy Jenkins, and others, who now are, or may become, members and officers of the Love and Good Will Society, of Aiken County, South Carolina, and their successors, officers and members, be, and they are hereby declared to be, a body corporate and politic, under the name and style of the Love and Good Will Society, of Aiken County, South Carolina; and the said corporation shall, by its corporate name, sue and be sued, implead and be impleaded in any Court of this State; and shall be able and empowered by law to purchase, have, hold, enjoy and possess any goods, chattels, lands, tenements or real estate of what kind and nature soever, and the same, or any part thereof, to sell, alien or convey at their will and pleasure: *Pro-*

Corporate name.

Powers and privileges.

vided, however, That the property so held shall not exceed the value of five thousand dollars; and the said corporation shall have power to make a common seal, with power to change and alter the same as often as they shall deem necessary.

A. D. 1873.

Property held
not to exceed
\$5,000.

SEC. 2. That the said society shall make such by-laws as shall be to the benefit of the said society, and be protected therein: *Provided,* Such by-laws shall not be repugnant to the laws of the State.

SEC. 3. That this Act shall be deemed a public Act, and shall continue in force until repealed.

Approved November 19, 1873.

AN ACT TO PERMIT SAMUEL A. HUTCHINSON TO ADOPT AND MAKE HIS LAWFUL HEIR, MARY SAVANNAH REED, AND TO CHANGE THE NAME OF THE SAID MARY SAVANNAH REED TO MARY SAVANNAH HUTCHINSON. No. 410.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel A. Hutchinson is hereby authorized and empowered to adopt and make his lawful heir, Mary Savannah Reed, and that the name of the said Mary Savannah Reed shall be changed to Mary Savannah Hutchinson.

Mary Savan-
nah Reed,
name chang-
ed to Hutchin-
son, and made
lawful heir.

Approved November 19, 1873.

AN ACT TO MAKE APPROPRIATION FOR THE PAYMENT OF EXPENSES OF THE EXTRA SESSION OF THE GENERAL ASSEMBLY, AND FOR OTHER PURPOSES. No. 411.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the payment of the members of the General Assembly, subordinate officers and employees for this extra session, the sum of seventy-five thousand dollars be, and is hereby, appropriated; and that the Clerks of the Senate and House of Representatives, respectively, be, and they are hereby, authorized and directed to furnish to each of the members of their respective Houses a pay certificate at the rate of six dollars per day, together with mileage, and for the subordinates and employees and incidental expenses at the usual rates proportioned to the length of the extra session.

Seventy-five
thousand dol-
lars appropri-
ated.

Clerks of
House and Sen-
ate to furnish
certificates.

SEC. 2. That such certificates shall conform to the provisions of Section 23, Article II, of the Constitution of the State, and shall

A. D. 1873.

Certificates
to conform to
Section 23, Ar-
ticle II, of the
Constitution.

be certified by the President of the Senate, and attested by the Clerk of the Senate, for all members of that body; and by the Speaker of the House of Representatives, and by the Clerk of the same, for all members of that body.

Certificates for
services ren-
dered common
to both Houses
to be signed by
the Speaker
and President
of the Senate.

SEC. 3. That the subordinate officers and employees of the General Assembly shall, in like manner, be furnished with pay certificates in such amounts as shall be fixed by that branch of the General Assembly to which such officers and employees shall belong: *Provided, however,* That the pay certificates for services rendered common to the two Houses, shall be signed by the President of the Senate, and countersigned by the Speaker of the House of Representatives.

Fifty thousand
dollars appro-
priated for
printing ex-
penses.

SEC. 4. That the sum of fifty thousand dollars be, and is hereby, appropriated for the current and permanent printing of the extra session, to be paid on the orders of the Clerks of the two Houses.

Treasurer to
pay certificates
prior to any
other claims.

SEC. 5. That the Treasurer be, and he is hereby, authorized and directed to pay the said certificates at his counter prior to any other claim or claims whatsoever, and to hold the certificates as his vouchers therefor; and he is also authorized and required to retain in the Treasury sufficient money from incoming taxes to meet the demands of such certificates.

Approved November 19, 1873.

JOINT RESOLUTIONS.

NO. 1. JOINT RESOLUTION TO CONFER UPON MRS. S. A. MCBRIDE, EXECUTRIX OF THE ESTATE OF JAMES MCBRIDE, DECEASED, THE SAME POWERS CONFERRED UPON J. A. MAYES, EXECUTOR OF SAID MCBRIDE, BY A JOINT RESOLUTION APPROVED JANUARY 31, 1872.

Mrs. S. A.
McBride to act
with J. A.
Mayes in dis-
charge of cer-
tain duties.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the same powers which were conferred upon J. A. Mayes, executor of the estate of James McBride, deceased, by a Joint Resolution entitled "Joint Resolution authorizing J. A. Mayes, executor of the estate of James McBride, deceased, to sell certain lands, and apply the proceeds thereof to the education of the minor heirs," approved January 31, 1872, be, and the same are hereby, conferred upon Mrs. S. A. McBride, executrix of the said McBride, and she be authorized to act in connection with said J. A. Mayes, after having first given the bond required by said Joint Resolution.

Approved November 7, 1873.

JOINT RESOLUTION TO CHANGE THE NAME OF McCAULEY
JAMES WHITE TO THAT OF JAMES McCAULEY.

A. D. 1873.

No. 2.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of McCauley James White, of Clarendon County, be changed to James McCauley, and that hereafter the said McCauley James White shall be known and called James McCauley.

McCauley
James White—
name changed
to McCauley.

Approved November 19, 1873.

JOINT RESOLUTION TO AUTHORIZE COUNTY COMMISSIONERS
OF GREENVILLE COUNTY TO RE-LOCATE STATE ROAD, IN SAID
COUNTY.

No. 3.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Greenville County be, and are hereby, authorized to re-locate the State Road through lands belonging to the estate of Wm. K. Hightower, deceased: *Provided*, That the said County Commissioners shall, before entering upon any lands for the purpose of re-locating the said road, conform in every particular to the requirements of Chapter LXIII of the Revised Statutes of the State of South Carolina, relating to the manner of acquiring rights of way.

County Com-
missioners to
re-locate State
Road.

Shall conform
to require-
ments of Chap-
ter LXIII of
Revised Stat-
utes.

Approved November 19, 1873.

JOINT RESOLUTION AUTHORIZING AND DIRECTING THE
COMPTROLLER GENERAL TO RE-CONVEY CERTAIN LANDS FOR-
FEITED TO THE STATE FOR THE NON-PAYMENT OF TAXES.

No. 4.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General be, and he hereby is, authorized and directed, upon the payment of two hundred and seventy-nine dollars, (\$279,) with costs, to re-convey to B. R. Burnett all the right, title and interest of the State in and to a certain tract of land, containing three thousand and two hundred acres, situated in Colleton County, and forfeited on the first day of June, A. D. 1872, for the non-payment of taxes.

Comptroller
General to re-
convey to B. R.
Burnett cer-
tain lands for-
feited to the
State.

Approved November 19, 1873.

A. D. 1873.

No. 5.

JOINT RESOLUTION TO ALLOW DAVID M. HEMMINGWAY, OF YORK COUNTY, TO REDEEM CERTAIN FORFEITED LANDS.

David M. Hemmingway allowed to redeem certain forfeited lands.

All taxes, penalties and costs to be paid to the County Treasurer.

County Auditor to expunge from the forfeited land record of the County.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That David M. Hemmingway, of the County of York, be, and he is hereby, allowed to redeem certain lands formerly owned by him on King's Mountain, in said County, consisting of three hundred acres, more or less, which have become forfeited to the State by virtue of the non-payment of taxes by the tenants on the same, who agreed so to do, and for want of bidders at the sale of the same, on condition that he shall pay over to the County Treasurer of the County of York all taxes, penalties and costs which are due upon the same, after which the County Auditor shall expunge the said land from the forfeited land record of the County.

Approved November 19, 1873.

No. 6. JOINT RESOLUTION PROPOSING TO AMEND THE CONSTITUTION OF THE STATE RELATING TO THE BOUNDARY LINE OF PICKENS AND OCONEE COUNTIES.

Preamble.

Whereas great inconvenience has arisen to the people of the Counties of Pickens and Oconee by reason of the fixing of the boundary between the same along the White Water River; therefore,

Section 3, Article II, of the Constitution to be amended.

Amendment to be submitted to qualified voters at next general election.

General Assembly to ratify the same.

Manner of voting.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of Article II of the Constitution of the State be amended by striking out the words "White Water River," in the fifth line of said Section, and inserting in the place thereof the words "Taxaway River." That the proposed amendment be submitted to the qualified electors of the State at the next general election, and if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment, and two-thirds of each branch of the next General Assembly shall, after such election, and before another, ratify the same, by yeas and nays, the said Constitution shall be amended in accordance herewith. The question of adopting this amendment shall be submitted to the electors as follows: Those in favor of the same shall deposit a ballot with the following words written or printed thereon: "Constitutional Amendment—Yes;" those opposed to said amendment shall cast a ballot with the following words written or printed thereon: "Constitutional Amendment—No."

Approved November 19, 1873.

ACTS OF THE GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA,

Passed at the Regular Session, which was begun to be held at the City of Columbia, on the fourth Tuesday in November, A. D. 1873.

FRANKLIN J. MOSES, Jr., Governor. R. HOWELL GLEAVES, President of the Senate. SAMUEL J. LEE, Speaker of the House of Representatives.

A. D. 1873.

AN ACT TO ALTER AND AMEND THE CODE OF PROCEDURE, BEING TITLE V, PART III, OF THE GENERAL STATUTES.

No. 412.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Code of Procedure, being Title five, (V,) Part three, of the General Statutes, be, and the same is hereby, amended in the several Sections thereof as is hereinafter provided. In Section eleven strike out sub-division one (I,) and insert the following in place thereof: "1. Any intermediate judgment, order or decree, involving the merits in actions commenced in the Courts of Common Pleas and General Sessions, brought there by original process, or removed there from any inferior Courts or jurisdiction, and final judgments in such actions: *Provided*, If no appeal be taken until final judgment is entered, the Court may, upon appeal from such final judgment, revive any intermediate order or decree necessarily affecting the judgment not before appealed from." In sub-division two (2) of the same Section, after the word "trial," in the fourth line, insert the following words: "Or when such order strikes out an answer, or any part thereof, or any pleading in an action."

Code of Procedure amended.

Sub-division one stricken out.

Substitute therefor, relative to final judgments.

Proviso. Court may revive intermediate order or decree.

Sub-division two amended, relating to orders affecting substantial right.

A. D. 1873.

Section 41
amended.

Judge of Probate, how and when he may order sale of real estate in payment of deceased person's debts.

May grant writs of injunction, etc.

Proceedings to be by summons and complaint.

In Section 52, thirty-fifth inserted in lieu of "first."
In Section 57, "office of Probate Court" inserted in lieu of "Clerk's Office."Section 58 stricken out.
Sub-division 4, Section 81, stricken out.

Section 91 amended relative to time of serving complaints.

Proviso.

If plaintiff be apprehensive of losing his property, Trial Justice may make such protest returnable at his discretion.

In Section 98 "twenty years" inserted in lieu of "forty years."

In Sections 100 to 105 and 109, "ten years" inserted in lieu of "twenty years."

SEC. 2. Add to Section forty-one the following words: "And whenever it shall appear to the satisfaction of any Judge of Probate, that the personal estate of any person deceased is insufficient for the payment of his debts, and all persons interested in such estate being first summoned before him, and showing no cause to the contrary, such Judge of Probate shall have power to order the sale of the real estate of such person deceased, or of so much thereof as may be necessary for the payment of the debts of such deceased person, upon such terms and in such manner as he may think best; may grant orders of injunction to stay actions or proceedings against the executors or administrators of such deceased person, and such other orders as may be necessary to secure the marshalling and administering the assets of such deceased person. All proceedings under this Section to be by summons and complaint, wherein the time for answering, manner of service, etc., shall conform, as nearly as may be, to the form and practice in the Courts of Common Pleas of this State."

SEC. 3. In Section fifty-two strike out the words "first Section," in line one, and insert in place thereof the words "thirty-fifth Section;" and in Section fifty-seven strike out the words "Clerk's office," in the fifth line, and insert in place thereof the words "office of the Probate Court."

SEC. 4. Strike out Section fifty-eight (58).

SEC. 5. Strike out sub-division four (4) of Section eighty-one (81).

SEC. 6. In Section ninety-one add the following words as sub-division sixteen: "Where more than twenty-five dollars is demanded in a complaint, the same shall be served on the defendant twenty days, and where less than that sum is demanded, five days before the day therein fixed for trial: *Provided*, That if the plaintiff shall make out that he is apprehensive of losing his debt by such delay, and the Trial Justice considers that there is good reason therefor, (the ground of such apprehension being set forth in an affidavit, and served with a copy of the complaint,) he may make such process returnable in such time as the justice of the case may require."

SEC. 7. In Section ninety-eight strike out the words "forty years," where they occur in the fourth and eighth lines, and insert in the place thereof the words "twenty years;" and in Sections one hundred, (100,) one hundred and one, (101,) one hundred and two, (102,) one hundred and three, (103,) one hundred and four, (104,) one hundred and five, (105,) and one hundred and nine, (109,) strike out the words "twenty years," wherever they occur, and insert the words "ten years" in the place thereof. In Section one

hundred and eleven (111) strike out the words "twenty years," on the twelfth line, and insert the words "ten years" in place thereof, and on the same line strike out the word "ten" and insert "five" in the place thereof.

SEC. 8. In Section one hundred and thirteen add to sub-division two (2) the following words: "Other than sealed notes and personal bonds, for the payment of money only, whereof the period of limitation shall be the same as prescribed in the following Section."

SEC. 9. In Section one hundred and fifty-seven add to sub-division four (4) the following words: "If said defendant is a resident of the State, but is temporarily absent therefrom, to any person over twenty-one years of age, residing at the residence or employed at the place of business of said absent person."

SEC. 10. In Section one hundred and fifty-eight (158,) after the word "postoffice," on line thirty-two, add the following words: "In cases of minors who cannot be found within the State, the like order for publication shall be made, and the summons published in a newspaper to be designated in the order. In addition to the publication so to be made, the summons and complaint shall be personally served by delivery of a copy thereof to such minor, and if under the age of fourteen years, also to his or her father, mother or guardian, or if there be none such, at the place of his or her residence, to any person having the care and control of such minor, or with whom he or she shall reside, or in whose service he or she shall be employed, unless it is made to appear to the Court or Judge that the place of residence is not known to the party making the application, and cannot, with reasonable diligence, be ascertained by him. Proof of such personal service shall be made by affidavit of the party delivering the copy summons and complaint properly authenticated. In case of persons imprisoned in the Penitentiary, or in the Jail of any County in this State, and in case of lunatics confined in the Asylum, or other place of confinement, personal service of the summons and complaint or other process affecting the rights of such persons, shall be made by the Sheriff of the County in which such persons may be imprisoned or confined, with the like proof of service as required in case of minors, and thereupon the Judge of the Court, or the Trial Justice before whom the action is to be tried, shall appoint some attorney, or other competent person, to act as guardian *ad litem* for the person so imprisoned or confined, who shall receive out of the property of such persons a reasonable compensation for services rendered in their behalf; and the case shall proceed as in other cases of persons not under any disability: *Provided*, That in case of persons imprisoned or confined, as herein stated, beyond the limits of this

A. D. 1873.

In Section 111 "ten years" inserted in lieu of "twenty years." Also, "five" in lieu of "ten."

Section 113, sub-division 2, amended.

Period of limitation for sealed notes and personal bonds for payment of money only, six years.

Section 157, sub-division 4, amended relative to service of summons.

Section 158 amended, relative to service of publication in case of minors.

Proof of service, how made

Service of summons in cases of persons confined in Penitentiary, or in jail, or in Asylum.

Court to appoint guardian *ad litem* for such persons.

Duties and compensation.

Provided.

A. D. 1873.

"One newspaper" inserted in lieu of "two newspapers."

State, service by publication shall be deemed sufficient." That the same Section be amended by striking out the words "two newspapers," in line twenty-two, and inserting the words "one newspaper" in place thereof.

Section 232 amended.

Upon failure of plaintiff to execute undertaking, property to be retained.

SEC. 11. That Section two hundred and thirty-two be amended by adding thereto the following words: "In case the plaintiff does not execute the required undertaking the party having possession of the property shall retain the same until the determination of the suit."

Section 274 amended.

Issues of law and fact to be tried together.

SEC. 12. Strike out the last sixteen words of Section two hundred and seventy-four, and insert in place thereof the following words: "In such cases the cause shall be placed on the calendar of issues of fact, and the issues shall be tried together, unless the Court otherwise direct."

Section 278 amended.

Summons and complaint to be filed in Clerk's office.

Clerk to place cause upon appropriate docket.

SEC. 13. That Section two hundred and seventy-eight (278) be amended by striking out the first nine lines thereof, beginning with the word "at" and ending with the word "notice," and inserting in place thereof the following words: "At any time after issue, and at least fourteen days before Court, the plaintiff shall file in the Clerk's office the summons and complaint in the cause, endorsing thereon the nature of the issue and the number of the docket upon which the same shall be placed; and, if the plaintiff fail so to do, the defendant, seven days before the Court, may file copies of said papers with a like endorsement, and the Clerk shall thereupon place said cause upon its appropriate docket, and it shall stand for trial without any further notice of trial or notice of issue."

Section 313 amended.

Final judgments a lien on real estate for ten years.

Manner of obtaining lien upon judgments obtained since March 1, 1870.

SEC. 14. Strike out Section three hundred and thirteen (313) and insert: "Final judgments hereafter entered in any Court of record in this State shall constitute a lien upon the real estate of the judgment debtor in the County where the same are entered for a period of ten years from the date of entry of such judgments; and in cases where judgments have been obtained since the first day of March, A. D. 1870, a like lien may be obtained by the service of a summons upon the judgment debtor, or, if he be dead, upon his heirs, executor or administrator, to show cause, if any he or they may have, why said judgment should not be and become a lien in accordance with the provisions of this Act; and if no sufficient cause be shown to the contrary, said judgment shall be and become a lien on all the real property of the judgment debtor, in the County where entered, for ten years from the date of the filing of such summons, with proof of service thereof, in the office of the Clerk of the Court of Common Pleas of the County where such judgments have been entered, but no judgment shall constitute a lien on any property of the judgment debtor outside of the County

Judgment not a lien upon property out-

where the same is entered, unless a transcript thereof is lodged in the office of the Clerk of the Court of Common Pleas of the County where the property of the judgment debtor may be situate; and from the date of the filing of such transcript it shall have the same force and effect as if the judgment had been originally entered in the County in which said transcript is filed: *Provided, however,* Where any judgment has been obtained and execution issued since the first day of March, A. D. 1870, and the said judgment or execution has now a lien by reason of a levy in accordance with the provisions of the Code of Procedure, then the lien of such judgment or execution shall date from the day upon which it became a lien under said Code of Procedure: *Provided, further,* That the plaintiff in such judgment may, at any time in three years after its active energy has expired, revive the judgment, with like liens as in the original, for a like period, by service of a summons on the debtor, as provided by law, requiring him to show cause, if any he can, at the next term of the Court for his County, why such judgment should not be revived; and if no good cause be shown to the contrary, then it shall be decreed that such judgment is revived according to the force, form and effect of the former recovery: *Provided, further,* That this Section shall not be so construed as to make final judgments in any case a lien on the real property of the judgment debtor exempt from attachment, levy and sale under the Constitution."

SEC. 15. Strike out Sections three hundred and fourteen, (314,) three hundred and fifteen, (315,) and three hundred and sixteen, (316,) and insert: "Execution may issue upon any judgment or decree, within three years from the entry thereof, without any revival of the same; when levied on personal property, they shall be a lien on such property, for the period of four months from the date of such levy; and such levy may be renewed from time to time with like effect, shall be made returnable in the words according to law, and shall have active energy from the time they shall first be lodged until the regular term of the Court from which they were sued, which shall follow next after the full completion of five years from its lodgment, and may be renewed at any time during the continuance of its active energy without costs; but after the expiration of its active energy as aforesaid, the same may be renewed by the service of a summons on the judgment debtor, his heirs, executors or administrators, to show cause, if any they may have, why the same shall not be renewed, and if no sufficient cause be shown, the same may be renewed, and so from period to period, as often as the same may be found necessary, and whenever renewed shall be subject to the rules herein provided."

A. D. 1873.

side of County, where entered, unless transcript thereof be filed in Clerk's office.

Proviso.

Lien of judgment, when to date, if issued since March 1, 1870.

Proviso.

How and when judgment may be revived after expiration of active energy.

These provisions not to affect property exempt from attachment, levy and sale, under the Constitution.

Sections 314, 316, stricken out.

Execution may issue upon judgment or decree within three years.

Lien on personal property for four months

How to be renewed.

Duration of active energy.

How to be renewed after expiration of active energy.

A. D. 1873.

Sheriff and
Coroner *et al.*,
whom and to
whom to make
return of act-
ings and doings
upon final pro-
cess.

SEC. 16. The Sheriff, Coroner, or other officer with whom final process as aforesaid shall be lodged, shall, at each regular term of the Court from which the said execution or process was sued out, during the continuance of its active energy, until full execution thereof be returned, make a return to the office of the Clerk of the Court of Common Pleas of his actings and doings thereunder. If he shall have fully executed, he shall return the process with the manner of its execution; if he shall have partially executed, he shall return, on oath, to the Clerk, a statement in writing, under his hand, of such partial execution, with the reason of his failure as to the remainder; if he shall have wholly failed to make execution, he shall return, on oath, a statement in writing, under his hand, of his failure, with the reasons; and in any event, on the first day of the term at which the active energy of the process shall cease as herein provided, he shall return the process, if the same has not been before returned as fully executed, and the return of the officer made as aforesaid shall, for all purposes, have the same legal effect as if the said process had been made returnable to the term succeeding its first lodgment, and renewed after each subsequent regular term. For failure or neglect to make any of the returns above mentioned, or for any false returns, the Sheriff or other officer as aforesaid shall be subject to rule, attachment, action, penalty, and all other consequences provided by law for neglect of duty by executive or judicial officers."

Legal effect
of such return.

Penalty for
failure or neg-
lect to make
returns.

Section 333
amended.

Amount of
costs allowed.

Proviso.

SEC. 17. Strike out Section three hundred and thirty-three, and insert in place thereof the following: "When allowed, except in Courts of Trial Justices, costs shall be as follows: First, to the plaintiff, for all proceedings where judgment is obtained by default, fifteen dollars; for trial of issue of fact, twenty dollars; for trial of issue of law, fifteen dollars. Second, to the defendant, where judgment or verdict is found for the defendant, the same costs as are allowed plaintiff in like cases. Third, to either party, in all contested cases, fifteen dollars; for a commission to take testimony, ten dollars; for the examination of a party or witness before trial, five dollars; for the appointment of a guardian of an infant, ten dollars; for making and serving a case or cases containing exceptions, ten dollars; for procuring an order of injunction, five dollars; to either party, on appeal to the Supreme Court, twenty dollars; for argument, thirty dollars: *Provided*, That nothing herein contained shall apply to suits commenced and existing at the time of the passage of this Act, wherein the costs shall be the same as allowed previous to the passage hereof."

In Section
337 "three
months" in-
serted in lieu
of "two years."

SEC. 18. In Section three hundred and fifty-seven strike out the words "two years," in the fifth line, and insert in place thereof the

words "three months;" and add to said Section the following words: "No rule or order of any Court or Judge shall require the printing of any brief, report or other paper connected with appeals by any party to an action or proceeding, who makes an affidavit, to be filed with the Clerk of the Supreme Court, that he or she is unable to pay for such printing."

A. D. 1873.

How and when printing briefs, papers, etc., may be dispensed with.

SEC. 19. That Section three hundred and fifty-nine (359) be stricken out, and that the first eight lines of Section three hundred and sixty, (360,) beginning with the word "if" and ending with the word "appeal," be stricken out, and the following substituted in place thereof: "A notice of appeal from a judgment directing the payment of money shall not stay the execution of the judgment unless the presiding Judge before whom the judgment was obtained shall grant a stay of execution; but after notice of appeal, the plaintiff shall not enforce a sale of property without giving an undertaking or bond to the defendant, with two good sureties, in double the appraised value of the property, or double the amount of the judgment, conditioned to pay all damages which the defendant may sustain by reason of such sale, in case the judgment is reversed. Nor shall the plaintiff in such case be allowed to proceed with a sale of defendant's property if the defendant do enter into an undertaking, with good sureties, in double the appraised value of the said property, or the amount of the judgment, to pay the judgment, with legal interest, and all costs and damages which the plaintiff may sustain by reason of the appeal, or produce the property levied on, and submit to the sale in case the judgment be confirmed." In Section three hundred and sixty-four strike out the following words, "whenever an appeal is perfected, as provided by," and insert in place thereof "whenever the defendant executes the bond hereinbefore prescribed, or the appeal is perfected as provided by." In Section three hundred and sixty-five strike out the words "three hundred and fifty-nine," in the first and second lines. In Section three hundred and sixty-six, after the word "Judge," in the fifth line, insert the words "or Clerk." In Section three hundred and sixty-seven strike out the words "the perfecting of an appeal by giving the undertaking mentioned in Section three hundred and fifty-nine," and insert in place thereof the words "the notice of appeal."

Section 359 stricken out.

Section 360 amended.

When notice of appeal may stay execution of judgment.

Plaintiff not to enforce sale of property after notice of appeal without giving security.

Nor shall sale be allowed if defendant give security to pay judgment, interest, costs and damages, if judgment be confirmed.

Section 364 amended relative to stay of proceedings upon security being given.

In Section 365 "359" stricken out.

Section 366 amended by insertion of "or Clerk."

Section 367 amended.

SEC. 20. That Section three hundred and seventy-one (371) be amended by striking out all of said Section after the words "Clerk of the Appellate Court," in the tenth line thereof, and substituting a period for the semi-colon. And that Sections three hundred and seventy-two, (372,) three hundred and seventy-three, (373,) three hundred and seventy-four, (374,) and three hundred and seventy-

Section 371 amended.

Sections 372 to 375 stricken out

A. D. 1873.

Section 377
amended, relative to payment of fees to Trial Justice.

Section 383
amended, relative to liability of party executing undertaking.

Section 383
amended, relative to undertaking to stay execution.

Provision
relative to taxing fees paid to Trial Justice, etc., stricken out.

"Trial Justice" inserted in lieu of "Court below."

Judgments in Court of Common Pleas obtainable during Term time only.

All cases in which there is no defense to be placed on special docket.

When such cases to be called.

Order to be endorsed on complaint and signed by presiding Judge.

five, (375,) be stricken out. That Section three hundred and seventy-seven (377) be amended by striking out the words "but no Justice of the Peace shall be bound to make a return, unless the fees prescribed by the last Section of this Chapter be paid on the service of the notice of appeal," on the fifth, sixth and seventh lines. That Section three hundred and eighty-three (383) be amended by striking out the words "and if the party making such offer shall have given an undertaking upon the appeal, the parties executing such undertaking shall be liable thereon for the payment of the judgment entered by virtue of said offer," beginning on line thirteen and ending on line sixteen of sub-division five of said Section. That Section three hundred and eighty-eight (388) be amended by striking out the words "and no undertaking given to stay execution shall be enforced for more than the amounts of the corrected judgment," on lines sixteen, seventeen and eighteen; also by striking out the words "he shall be allowed to tax, as part thereof, the costs and fees paid to the Trial Justice on making the appeal, as disbursements, in addition to the costs in the Appellate Court," in the thirtieth, thirty-first and thirty-second lines. Strike out the words "Court below," in the fifty-sixth line, and insert the words "Trial Justice."

SEC. 21. That after the passage of this Act no judgment shall be obtained in the Court of Common Pleas, except during Term time and in open Court, and it shall be the duty of the Clerk to place all cases filed in his office, in which there is no defense, upon a docket to be prepared by him for the purpose, to be known as Docket No. Six, (6,) and they shall be called on the first day of the term, and the order for judgment shall be endorsed on the complaint, and signed by the presiding Judge, and no execution shall be signed on judgments obtained by default in any other manner than is herein provided.

Approved November 25, 1873.

NO. 413. AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A HOUSE OF REFUGE AND INDUSTRIAL SCHOOL IN THE CITIES OF CHARLESTON AND COLUMBIA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the City Councils of Charleston and Columbia, by their ordinances duly ratified, shall have power and authority to establish a House of

City Councils of Charleston and Columbia to establish a House of Refuge and Industrial School.

Refuge and Industrial School for the care, correction, education and instruction of juvenile offenders of the law and peace of the city, and to make rules and regulations, and appoint a Board of Commissioners and other officers for the government of the same: *Provided*, That at no future time the city corporations of Charleston or Columbia shall apply to the General Assembly of the State for any pay in the establishment and management of said schools.

A. D. 1873.

Commission-
ers to be ap-
pointed.

Proviso.

SEC. 2. That the Mayors or acting Mayors of the city of Charleston or Columbia shall have power and authority to commit juvenile offenders to the House of Refuge and Industrial School for a term of years, to be held to useful industry, and to be instructed in various branches of knowledge for which they may be qualified: *Provided*, That before the commitment of any such juvenile offenders or minors, brought before the Mayor of the city of Charleston or the city of Columbia, by a Constable, public officer, or a resident of the said cities, the Mayor shall issue a summons to the father of the said offenders, if he is living, and resident within the city, and if not, then to the mother, if she is living and so resident, and if there is no such father and mother, to the lawful guardian of said offenders, if any there be so resident, or, if not, to the person with whom, according to his or her statement, and such other testimony as shall be received, the said offenders reside, and if there be no person with whom the said offenders statedly reside, the Mayor may appoint some one to act in the said offender's behalf, requiring him or her to appear at a time and place stated in the summons, to show cause, if any there be, why such offenders shall not be committed to the House of Refuge and Industrial School. And, at the time mentioned in the summons, the Mayor shall proceed to examine the said offenders and any party appearing in answer to the summons, and take such testimony in relation to the case as may be produced. If the allegations are proved, and it appears that the offender is a suitable subject of the House of Refuge and Industrial School, and that his or her moral welfare and the good of society require that the said offender should be sent thereto for instruction, employment or reformation, he shall commit the said offender to said House of Refuge and Industrial School: *Provided, further*, That an appeal shall be allowed from any decision rendered against any offender to the Circuit Court of the Counties of Charleston or Richland.

Mayors of
Charleston and
Columbia may
commit offend-
ers.

Proviso.

Mayors may
appoint some
person to act in
offender's be-
half.

Proviso.

SEC. 3. That the Mayors or acting Mayors of Charleston or Columbia, or the Board of Commissioners which the City Council of their respective cities shall create and appoint to supervise the said institution, shall have power and authority to bind either of the mates of the said House of Refuge and Industrial School that shall have arrived at the age of fourteen years, as apprentices to

Mayors or
Commissioners
may bind of-
fenders as ap-
prentices.

A. D. 1873.
 Proviso.

any trade or employment for which they may be fitted, the males till eighteen, and the females till fifteen years of age: *Provided*, That in binding out the inmates, as herein provided, there shall be a scrupulous regard to the moral character of those to whom they are bound, that they may have secured to them the benefit of a good example and wholesome instruction, and the sure means of improvement in virtue and knowledge, that they may become intelligent, moral, useful and happy citizens.

Enticing or
 harboring ap-
 prentices a
 misdemeanor.

SEC. 4. That it shall be a misdemeanor to entice away or harbor any of the minors committed to the House of Refuge and Industrial School, or to entice away or harbor such of them as shall have been apprenticed by the authority aforesaid.

Conflicting
 Acts repealed.

SEC. 5. That all Acts or parts of Acts in conflict with the foregoing are hereby repealed.

Approved November 25, 1873.

No. 414. AN ACT TO REPEAL SO MUCH OF AN ACT ENTITLED "AN ACT TO VEST IN ISAAC G. LONG THE CHARTER OF A WATER COURSE THROUGH KINGSTON LAKE AND MAPLE SWAMP, IN Horry COUNTY," APPROVED MARCH 26, 1869, AS PERTAINS OR RELATES TO SAID KINGSTON LAKE.

Portion of
 Act relative to
 certain water
 course repeal-
 ed.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That so much of an Act entitled "An Act to vest in Isaac G. Long the charter of a water course through Kingston Lake and Maple Swamp, in Horry County," approved March 26, 1869, as pertains to the said Kingston Lake, be, and the same is hereby, repealed.

Approved November 26, 1873.

No. 415. AN ACT TO RENEW THE CHARTER OF THE SAND BAR FERRY ACROSS THE SAVANNAH RIVER.

Sand Bar Fer-
 ry re-charter-
 ed.

Rates of fer-
 riage.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Sand Bar Ferry across the Savannah River be, and the same is hereby, re-chartered, with the following rates of ferriage: For every four wheel carriage drawn by four or more horses, mules, oxen or other animals, (except stage coaches,) seventy-five cents; for the

same drawn by three horses, mules, oxen or other animals, sixty cents; for the same drawn by two horses, mules, oxen or other animals, forty cents; for the same drawn by one horse, mule, oxen or other animal, thirty cents; for every other four wheel vehicle drawn by six or more horses, mules, oxen or other animals, sixty cents; for the same drawn by five horses, mules, oxen or other animals, fifty cents; for the same drawn by four horses, mules, oxen or other animals, forty cents; for the same drawn by three horses, mules, oxen or other animals, thirty cents; for every two wheel carriage drawn by two horses, mules, oxen or other animals, thirty cents; for the same drawn by one horse, mule, oxen or other animal, twenty cents; for every other vehicle, twenty cents; for every person on horseback, or leading, or driving a horse or mule, ten cents; for every led horse or mule, accompanied by a person on horseback, five cents; for every horse or mule in a drove, three cents; for every head of cattle, three cents; for every sheep, hog or goat, two cents; for every animal for show, in addition to the carriage in which he may be conveyed, forty cents; for every foot passenger crossing, five cents. That all the rights, privileges and franchises incident to the said Sand Bar Ferry be, and they are hereby, vested in Jonathan M. Miller, Isaac Holland, David Cherry and Daniel Runse, and their heirs and assigns, and shall continue in force until repealed: *Provided, however,* That all ministers of the gospel, practicing physicians, voters going to and from the polls, funeral processions, persons attending church on the Sabbath, children crossing and re-crossing for the purpose of attending school, and members of military companies, when crossing and re-crossing for the purpose of attending to military duties, be, and the same are hereby, allowed to pass free of toll over the said ferry.

A. D. 1873.

Privileges and franchises vested in certain parties.

Proviso.

SEC. 2. That if any person shall meet with any unnecessary delay at the said Sand Bar Ferry, in crossing, every such person or persons may recover from the owner of the same, the sum of ten dollars for every hour he shall have been so unnecessarily detained, to be recovered by civil action, on application from the party or parties aggrieved to any Trial Justice.

Damages may be recovered for unnecessary delay.

SEC. 3. This Act shall continue in force for the term of five years, unless sooner repealed.

—
OFFICE SECRETARY OF STATE,
COLUMBIA, S. C., December 8, 1873.

The foregoing Act having been presented to the Governor of this State for his approval, and not having been approved or returned

A. D. 1873.

by him to that branch of the General Assembly in which it originated, within the time prescribed by the Constitution, has become a law without his approval.

(Signed)

H. E. HAYNE,
Secretary of State.

No. 416. AN ACT TO AMEND SECTION 25 OF CHAPTER CXXII OF TITLE V OF THE REVISED STATUTES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 25 of Chapter CXXII of Title V of the Revised Statutes be so amended as to read as follows :

Sec. 25, Chapter CXXII, Title V, Revised Statutes amended.

Time for holding Court in Abbeville.

"1st. The Court of Common Pleas and General Sessions at Abbeville, for the County of Abbeville, on the second Monday in January, the third Monday in May, and the first Monday in October.

In Anderson.

"2d. The Court of Common Pleas and General Sessions at Anderson, for the County of Anderson, on the first Monday in February, the fourth Monday in May, and the third Monday in October.

In Oconee.

"3d. The Court of Common Pleas and General Sessions at Wallhalla, for the County of Oconee, on the third Monday in February, the first Monday in June, and the first Monday in November.

In Pickens.

"4th. The Court of Common Pleas and General Sessions at Pickens, for the County of Pickens, on the first Monday in March, the second Monday in June, and the second Monday in November.

In Greenville.

"5th. The Court of Common Pleas and General Sessions at Greenville, for the County of Greenville, on the second Monday in March, the third Monday in June, and the third Monday in November."

All processes made returnable to Courts held in pursuance with this Act.

SEC. 2. That all writs, sommons, recognizances and other processes, of whatever kind, returnable to the Courts of Common Pleas and General Sessions in the Counties above named, be, and the same are hereby, made returnable to the Courts held in pursuance to the provisions of this Act, in the same manner as if they had been issued or taken in reference thereto.

Inconsistent Acts repealed.

SEC. 3. That all Acts and parts of Acts inconsistent with, or repugnant to, this Act be, and the same are hereby, repealed.

Approved December 17, 1873.

AN ACT TO INCORPORATE THE CONGAREE FIRE ENGINE COMPANY, OF COLUMBIA, SOUTH CAROLINA.

A. D. 1873.

No. 417.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Congaree Fire Engine Company, and the several persons who are now, or may hereafter be officers and members thereof, and their successors, officers and members, be, and they are hereby declared to be, a body politic and corporate, by the name and title of the "Congaree Fire Engine Company," and that the said corporation may, by its corporate name, sue and be sued, implead and be impleaded in the Courts of this State, and shall be able and empowered in law to purchase, have, hold, enjoy and possess any goods, chattels, lands, tenements, or real estate of whatever kind or nature soever, and the same, or any part thereof, to sell, alien or convey at their will and pleasure: *Provided, however*, That the property so to be held shall not exceed the annual value of fifteen thousand dollars; and the said corporation shall have power to make a common seal, with power to change and alter the same as often as they shall deem necessary.

Corporators.

Corporate name.

Powers and privileges.

Proviso.

SEC. 2. This Act shall be deemed a public Act, and shall continue in force until amended or repealed.

Approved December 20, 1873.

AN ACT TO AMEND SECTION 56, CHAPTER XIII, TITLE I, PART I, OF THE REVISED STATUTES, RELATING TO THE BONDS OF COUNTY TREASURERS. No. 418.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 56, Chapter XIII, Title I, Part I, of the Revised Statutes, be amended by striking out the words and figures "twenty thousand (20,000,)" in the fifth and sixth lines of said Section, and inserting in lieu thereof the words and figures "forty thousand (40,000,);" and by striking out the words and figures "ten thousand (10,000,)" in the seventh and eighth lines of said Section, and inserting in lieu thereof the words and figures "twenty thousand (20,000.)"

Section 56, Chapter XIII, Title I, Part I, of the Revised Statutes amended. "Forty thousand" inserted in lieu of "twenty thousand." "Twenty thousand" inserted in lieu of "ten thousand."

Approved December 20, 1873.

A. D. 1873. AN ACT TO CHARTER THE TOWN OF ALLENDALE, IN THE
 No. 419. COUNTY OF BARNWELL AND STATE OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State, having resided sixty days in the town of Allendale, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called by the name of Allendale, and its corporate limits shall extend three-quarters of a mile in each direction from the depot in said town.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, who shall be elected on the second Monday in January, one thousand eight hundred and seventy-four, and every year thereafter on the second Monday in January, ten days' public notice thereof being previously given; and that all male inhabitants, of the age of twenty-one years, citizens of the State, and who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

SEC. 3. That the election for Intendant and Wardens of the said town shall be held in some convenient house, or some other convenient public place in said town, from seven (7) o'clock in the morning until five (5) o'clock in the afternoon; and when the polls shall be closed, the Managers of Election shall forthwith count the votes and proclaim the election, and give notice, in writing, to the persons elected. At the first election for Intendant and Wardens, Messrs. Joseph Erwin, J. Lawrence Williams and Thomas S. Myers are hereby appointed to act as Managers. The Intendant and Wardens so elected shall appoint three Managers to hold the ensuing and any subsequent election. The Managers, in each case, shall, before they open the polls for said election, take an oath fairly and impartially to conduct the same; and that the Intendant and Wardens, before entering upon the duties of their respective offices, shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "As Intendant (or Warden) of the town of Allendale, I will equally and impartially, to the best of my ability, exercise the trust reposed in me; and I will use my best endeavors to preserve the peace and carry into effect, according to law, the purpose for which I have been elected: So help me God." The said Intendant and Wardens shall hold their offices from the time of their

election until the second Monday in January ensuing, and until their successors shall be elected and qualified.

A. D. 1873.

SEC. 4. That in case a vacancy should occur in the office of the Intendant, or any of the Wardens, by death, resignation, removal, or otherwise, or in any case of a tie in said election, an election to fill such vacancy shall be held, by the appointment of the Intendant and Wardens (or Warden, as the case may be,) ten days' public notice thereof being previously given; and in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of their number to act in his stead during the time.

Vacancies.

SEC. 5. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the jurisdiction and powers of Trial Justices and Justices of the Peace, except the trial of civil cases, and except as it may otherwise be provided in this Act, within the limits of said town; and the Intendant shall and may, as often as he may deem necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, may constitute a quorum to transact business; and they shall be known by the name of the Town Council of Allendale; and they and their successors, hereafter to be elected, may have a common seal, which shall be affixed to all the ordinances; and the said Town Council shall have authority to appoint, from time to time, as they see fit, such and so many proper persons to act as Marshals or Constables as the Town Council may deem necessary and expedient for the preservation of the peace, good order and police thereof; which persons, so appointed, shall, within the corporate limits of said town, have powers, privileges and emoluments, and be subject to all the obligations, penalties and regulations, provided by law for the office of Constable, and shall be liable to be removed at the pleasure of said Council; and the said Town Council shall have full power to establish, or authorize the establishment of, the market house in said town. And the said Town Council shall have the full power and authority, under their corporate seal, to make all such rules, by-laws and ordinances respecting the streets, roads, market house, and the business thereof, and the police system of the said town, as shall appear to them necessary and proper for the security, welfare and convenience, and for preserving the health, order and good government within the same; and the said Town Council may impose fines for offenses against their by-laws or ordinances; but no fine above the sum of twenty dollars shall be collected by the Town Council, except by suit in a Court of competent jurisdiction: *And provided,* *also,* That no fine shall exceed fifty dollars; and, also, that nothing

Judicial powers.

Marshals and Constables.

General powers.

A. D. 1873.

herein contained shall authorize the said Town Council to make any by-laws or ordinances inconsistent with or repugnant to the laws of this State; and all the by-laws, rules and ordinances the said Town Council may make shall, at all times, be subject to re-vial or repeal by the General Assembly of this State.

Abatement of
nuisances.

SEC. 6. That the said Intendant and Wardens shall have full power to abate and remove nuisances in the said town, keep all roads, ways and streets within the corporate limits in good repair, and for that purpose they are invested with all the powers heretofore granted to Commissioners of Roads; and shall have full power to classify and arrange the inhabitants of said town liable to street, road or other public duty therein, and to force the performance of such duty, under such penalties as are now, or shall hereafter be prescribed by law: *Provided*, That the said Town Council may compound with persons liable to perform such duty, upon such terms, and on the payment of such sums as may be established by laws or ordinances: *And provided, also*, That the individuals who compose the said Town Council shall be exempt from the performance of road and public duty; and the inhabitants of the said town are hereby exempt from road and public duty without the corporate limits of said town.

Road and
street duty.

Licenses.

SEC. 7. That the authority to refuse or grant licenses to keep billiard saloons, taverns, or retail intoxicating liquors within the corporate limits, be, and the same is hereby, vested in the Town Council of Allendale; and that they be also vested with all the necessary power, by ordinance or ordinances, to suppress or regulate the sale of intoxicating liquors in or upon any of its appurtenances, or in or upon any of its highways, streets, lanes, alleys, commons, kitchens, stores, shops, public buildings, stalls or outhouses of the said town, or within three-quarters of a mile each way of the Port Royal Railroad Depot, in the said town: *Provided*, No rule or regulation shall be made inconsistent with the Constitution and laws of the State; and they shall also have power to impose a tax on shows or exhibitions for gain or reward, and also upon all transient traders within the limits, and all moneys so received shall be appropriated to the public use of said corporation.

Power to ar-
rest offenders.

SEC. 8. That the said Town Council of Allendale shall have power to arrest and commit to jail, for a space of time not exceeding twenty-four hours, and to fine not exceeding twenty dollars, any person or persons who shall be guilty of disorderly conduct in said town, to the annoyance of citizens thereof; and it shall be the duty of the Marshal of the town to make such arrests, and call to his assistance the *posse comitatus*, if necessary; and, upon failure to

perform such duty, he shall be fined in a sum not less than twenty dollars for each and every offense. A. D. 1873.

SEC. 9. The said Town Council of Allendale shall also have power to impose and collect an annual tax upon the assessed property of said town: *Provided*, No tax shall be imposed in any one year to exceed the rate of fifteen cents on each hundred dollars of such assessed property, and that the money so raised shall be applied to the use of said town. The said Town Council shall have power to enforce the payment of all taxes levied by the said Town Council, to the same extent, and in the same manner, as is now, or hereafter shall be, provided by law for the collection of the general State taxes. Annual taxation.

SEC. 10. That the said Town Council of Allendale shall have power to regulate sales at auction within the limits of said town, and to grant licenses to auctioneers: *Provided*, Nothing herein contained shall extend to sales of Sheriffs, Clerk of Court, Judge of Probate, Coroner, executor, administrator, Assignee in Bankruptcy, or by any person out of the order, decree of any Court, Trial Justice or Justice of the Peace. Auction sales.
Proviso.

SEC. 11. That the Intendant and Wardens of the town of Allendale shall have power and authority to require all persons owning improved lot or lots, or parts thereof, in the said town to keep in repair the sidewalks adjacent to their lot or lots, respectively; and, for default in this matter, shall have power and authority to have said sidewalks repaired at the expense of the parties owning such lot or lots. Sidewalks.

SEC. 12. That the said Town Council of Allendale shall also be empowered to retain, possess and enjoy all such property as they may be possessed or entitled to, or which shall hereafter be given, bequeathed or in any manner acquired by them, and to sell, alien or in any way transfer the same, or any part thereof: *Provided*, The amount of property so held or stock invested shall in no case exceed the sum of twenty thousand dollars. May hold and dispose of property.

SEC. 13. That this Act shall be deemed a public Act in all Courts of justice, and shall continue of force until amended or repealed.

Approved December 20, 1873.

AN ACT TO REQUIRE THE COUNTY TREASURER OF DARLINGTON TO ATTEND AT SUNDRY PLACES, OTHER THAN THE TOWN OF DARLINGTON, FOR THE COLLECTION OF TAXES. No. 420.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly,

A. D. 1873.

County Treasurer to collect taxes at sundry places.

and by the authority of the same, That the County Treasurer of Darlington, or his Deputy, shall attend for the collection of taxes, in each year, three days at each of the following named places, to wit: Florence, Timmonsville, Cartersville, Lydia Precinct, Society Hill, Effingham and Leavenworth.

OFFICE SECRETARY OF STATE,
COLUMBIA, S. C., December 20, 1873.

The foregoing Act having been presented to the Governor of this State for his approval, and not having been approved or returned by him to that branch of the General Assembly in which it originated, within the time prescribed by the Constitution, has become a law without his approval.

H. E. HAYNE,
Secretary of State.

No. 421. AN ACT TO AMEND SECTION 2, CHAPTER XXVI, OF THE
GENERAL STATUTES OF SOUTH CAROLINA, RELATING TO
CONSTABLES.

Section 2
Chapter XXVI
of the General
Statutes
amended.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of Chapter XXVI of the General Statutes be amended, in the twelfth line of said Section, after the words "or a Trial Justice," by inserting the words "or a Coroner."

OFFICE SECRETARY OF STATE,
COLUMBIA, S. C.; December 20, 1873.

The foregoing Act having been presented to the Governor of this State for his approval, and not having been approved or returned by him to that branch of the General Assembly in which it originated, within the time prescribed by the Constitution, has become a law without his approval.

H. E. HAYNE,
Secretary of State.

AN ACT TO AID AND ENCOURAGE MANUFACTURES.

A. D. 1873.

No. 422.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, for the purpose of inducing the investment and employment of capital in the manufacture of cotton, woolen and paper fabrics, iron, lime, and of agricultural implements, any individual, or association of individuals, who shall hereafter invest capital in the manufacture of cotton, woolen or paper fabrics, iron, lime and of agricultural implements within this State, shall be entitled to receive from the Treasury of the State, annually, a sum equal to the aggregate amount of State taxes, less two mills, to be used for school purposes, which shall be exclusively so applied, which shall be levied and collected upon the property or capital employed or invested directly and exclusively in such manufactures or enterprises, the said sum of money to be fixed and determined by the Comptroller General of the State, in accordance with the tax returns, and to be paid by the State Treasurer on the warrant of the said Comptroller General.

Capital invested in manufacture of cotton, woolen or paper fabrics, etc., exempt from taxation.

SEC. 2. That it shall be the duty of all County Treasurers, and of the Treasurers of all municipal corporations which are by law authorized to levy and collect taxes, to pay to the individuals, or association of individuals, described in the first Section of this Act, a sum of money, annually, equal to the aggregate amount of County or municipal taxes levied or collected during any year, upon the property or capital described in the first Section of this Act.

Capital employed in manufacture as aforesaid, exempt from County and municipal taxation.

SEC. 3. That the provisions of the first Section of this Act shall apply exclusively to investments made hereafter, and shall not operate until satisfactory proof or evidence shall have been presented to the Comptroller General of the State that the property or capital for which the benefits of this Act are claimed have been actually employed, paid in or invested in this State: *Provided*, That nothing herein contained shall apply to enterprises enumerated in this Act commenced within the last twelve months and not yet completed: *And provided, further*, That nothing in this Act contained shall be so construed as to exempt from taxation the land upon which said factories may be erected.

Exemptions applicable to future investments only.

Evidence of investment to be furnished Comptroller General.

Enterprises commenced within twelve months and not completed, excepted. Land upon which factories are erected not exempted.

SEC. 4. That the manufacturing enterprises enumerated in the foregoing Sections of this Act which have been completed since the first day of January, 1872, or any improvements made or added to any that were built at the time of above named date, and all vessels of one hundred tons measurement or upwards, built and owned within this State, shall come under the provisions of this Act, and be entitled to all the benefits thereof.

Enterprises completed since January 1, 1872, or improvements added, etc., entitled to benefits of this Act.

A. D. 1873.
 Benefits conferred herein to terminate within ten years.

SEC. 5. That the benefits of this Act shall extend to the property and capital designated in the first Section of this Act for a period of ten years after the commencement or extension of such manufacture or improvement, and no longer.

SEC. 6. This Act shall take effect on and after its passage, and shall remain in force until repealed.

Approved December 20, 1873.

No. 423. AN ACT TO INCORPORATE THE AGRICULTURAL AND MECHANICAL ASSOCIATION, OF ABBEVILLE, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That E. Cain, Samuel Chiles, Elijah Finley, Lewis Goulsby, Henry Titus, John Barnett, Ed. Henderson, Cit. Roseman, Aleck Berry, Sam. Jones, Wm. Pope, Aaron Mitchell, Alfred Thurman, and their successors in office and associates, be, and they are hereby declared, a body politic and corporate, under the name and style of the Agricultural and Mechanical Association, of Abbeville, South Carolina, with a capital stock not to exceed sixty thousand dollars, in shares of twenty-five dollars each.

SEC. 2. That said corporation is hereby empowered to have and to use a common seal, and the same to alter at pleasure; to hold real and personal property, whether acquired by gift, devise or purchase, and the same, or any part thereof, to alien, sell or transfer; to adopt such constitution and pass such by-laws, not inconsistent with the law of the land, as may, in the opinion of the members of said corporation, appear best calculated to promote the aims and objects thereof; to sue and be sued, plead and be impleaded, in any Court of competent jurisdiction; and to have all other rights, privileges and immunities that are now secured by law to corporate bodies: *Provided*, That the real and personal property of each corporator shall be liable for the debts of said corporation, or assigns, in any amount not exceeding the par value of the stock held by him.

SEC. 3. That this Act be deemed a public Act, and shall have force until repealed.

Approved December 20, 1873.

AN ACT TO RAISE SUPPLIES FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1873, AND TO ALTER AND AMEND THE LAW IN RELATION TO THE COLLECTION OF TAXES.

A. D. 1873.

No. 424.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a tax of one and a quarter ($1\frac{1}{4}$) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations to pay the salaries of the executive and judicial officers of the State, the clerks and contingent expenses of the executive and judicial departments of the government, for the fiscal year commencing November 1, 1873.

$1\frac{1}{4}$ mills to pay salaries and contingent expenses.

SEC. 2. That a tax of one and one quarter ($1\frac{1}{4}$) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations for the support and maintenance of the penal, charitable and educational institutions of the State, exclusive of common schools, for the fiscal year commencing November 1, 1873.

$1\frac{1}{4}$ mills to support State institutions.

SEC. 3. That a tax of two (2) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations for the support and maintenance of public schools for the fiscal year commencing November 1, 1873: *Provided*, That the amount raised by the levy in this Section in excess of three hundred thousand dollars be apportioned among the several Counties, as the free school fund is now apportioned, to be applied to the payment of teachers' claims in said Counties, and *pro rata* upon said claims.

2 mills for schools.

Proviso.

SEC. 4. That a tax of one and a half ($1\frac{1}{2}$) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations to defray the expenses of the General Assembly, for the extra session of 1873, and the regular session commencing November 25, 1873.

$1\frac{1}{2}$ mills for legislative expenses.

SEC. 5. That a tax of one mill upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations for public printing for the fiscal year commencing November 1, 1873.

1 mill for printing.

SEC. 6. That a tax of three and one quarter ($3\frac{1}{4}$) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to pay the deficiency or unpaid appropriations of the fiscal year which commenced November 1, 1872; and a tax of three-quarters of a mill is hereby levied to pay the claim of the South Carolina Banking and Trust Company, now held by Hardy Solomon, Esq., or as much thereof as may be necessary.

$3\frac{1}{4}$ mills for deficiencies.

$\frac{3}{4}$ of a mill for claim of Hardy Solomon.

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1 mill for interest on public debt.

3 mills for County purposes.

Proviso relative to certain Counties.

Proceeds from levies to be kept from other public funds.

Portion of Section 72, Chapter XII, Title III, Part I, General Statutes, repealed.

SEC. 7. That a tax of one (1) mill on every dollar of the taxable property of this State be, and the same is hereby, levied to pay the half yearly interest upon the public debt of this State, (as adjusted at the present session,) due and payable on the 1st of July, 1874.

SEC. 8. That a tax not to exceed three (3) mills upon every dollar of the value of all taxable property in each of the several Counties of this State be, and the same is hereby, levied for County purposes for the fiscal year commencing November 1, 1873, the rate to be fixed by the County Commissioners of each County, and by them certified to the County Auditor thereof, except the Counties of Greenville and Pickens, in which the County Commissioners shall levy a tax of five (5) mills, two mills of which shall be devoted exclusively to the payment of the past indebtedness of said County; and Spartanburg County four (4) mills, one (1) mill of which shall be used exclusively for the liquidation of past due indebtedness for the building of bridges: *Provided*, That the restrictions of this Section shall not apply to such Counties as are now authorized by law to levy a tax for special purposes: *Provided, further*, That the County Commissioners of Charleston County are hereby directed to cause to be levied and collected, in the same manner and at the same time as other County taxes are collected; a special tax of two (2) mills on the dollar on all the taxable property of the County, to pay the past indebtedness of the County; the said funds so raised to be kept in the Treasury by the Treasurer, subject to the passage of an Act of the General Assembly to provide for the payment of the past indebtedness of the County; and the County Commissioners and the County Treasurer are prohibited from using said funds for any purpose whatsoever until the passage of the Act herein contemplated; and in the County of Oconee the County Commissioners are hereby directed to levy and collect an additional tax of one and one-half mills on all the taxable property of the County to pay the past indebtedness of said County.

SEC. 9. That the proceeds from the taxes levied in the first seven Sections of this Act shall be kept by the State Treasurer separate and apart from each other and from other public funds, and shall be applied to the purposes for which they are respectively levied, and none other.

SEC. 10. That so much of Section 72 of Chapter XII of Title III of Part I of the General Statutes as directs the State Auditor, on or before the 15th of November, annually, to give notice to each County Auditor of the rate per centum authorized by law to be levied for various State purposes, be, and the same is hereby,

repealed; and the County Auditors and County Treasurers of this State are hereby required, without further notice, to proceed, on and after January 1, 1874, under the supervision of the Comptroller General, to the collection of the taxes herein levied, in the manner prescribed by law; and they are hereby forbidden to collect, or cause to be collected, any other tax whatever, unless hereafter expressly authorized so to do: *Provided*, That nothing herein contained shall prevent the collection of district school taxes, poll tax, railroad tax, and taxes levied for the relief of widows and orphans of persons killed because of their political opinions, or special tax as authorized by law for County purposes. Any State or County officer who shall offend against any of the provisions of this Act, shall be deemed guilty of a felony, and, upon conviction thereof, shall be punished by a fine of not less than one thousand or more than fifty thousand dollars, and by imprisonment in the State Penitentiary for a period of not less than one year or more than five years.

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Proviso.

SEC. 11. That all taxes assessed and payable under this Act shall be paid in the following kind of funds: United States currency, gold and silver coin, National Bank notes, and certificates of indebtedness authorized by this General Assembly and issued to the Republican Printing Company, pursuant to the Act approved November 19, 1873; and on receiving any of said certificates for taxes, the County Treasurers shall cancel the same, by writing the word "Cancelled" on the back of each certificate so received, and attaching his official signature thereto; and the State Treasurer shall report to the General Assembly, at the next regular session, the total amount of such certificates returned to him by the County Treasurers respectively.

Taxes to be paid in certain kinds of funds.

Approved December 22, 1873.

AN ACT TO REPEAL AN ACT TO PROVIDE FOR THE ISSUE OF BILLS RECEIVABLE IN PAYMENT OF INDEBTEDNESS TO THE STATE TO THE AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS.

No. 425.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to provide for the issue of bills receivable in payment of indebtedness to the State to the amount of five hundred thousand dollars," approved December 21st, A. D. 1865, be, and the same is hereby, repealed.

Act to provide for issue of bills receivable repealed.

Approved December 22, 1873.

A. D. 1873.

No. 426.

AN ACT TO REPEAL SO MUCH OF SECTION 72, CHAPTER XII, TITLE III, OF THE GENERAL STATUTES, AS AUTHORIZES THE STATE AUDITOR TO GIVE NOTICE ANNUALLY TO EACH COUNTY AUDITOR OF THE RATE PER CENTUM TO BE LEVIED FOR VARIOUS STATE PURPOSES.

Portion of
Section 72,
Chapter XII,
Title III, of
General Stat-
utes, repealed.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That so much of Section 72, Chapter XII, Title III, of the General Statutes as authorizes the State Auditor to give notice annually to each County Auditor of the rate per centum to be levied for various State purposes, be, and the same is hereby, repealed.

Approved December 22, 1873.

No. 427. AN ACT TO REDUCE THE VOLUME OF THE PUBLIC DEBT, AND PROVIDE FOR THE PAYMENT OF THE SAME.

State Treas-
urer to receive
from holders
certain bonds
and certificates
of stock.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer is hereby authorized and required to receive, from the holders willing to surrender the same, all the certificates of stock issued under Act of 1794, and redeemable at pleasure, amounting to thirty-eight thousand eight hundred and thirty-six and sixty one hundredth dollars (\$38,836.60;) the certificates of stock issued under Act of June 1st, 1838, redeemable in 1870, amounting to three hundred and three thousand three hundred and forty-three eighty-nine one hundredth dollars (\$303,343.89;) the certificates of stock issued under Act of December 20, 1856, redeemable in 1877, amounting to one hundred and eighty-nine thousand three hundred and eighty-five and eighty one hundredth dollars (\$189,385.80;) the certificates of stock issued under Act of December 21, 1857, and redeemable in 1888, amounting to one hundred and twenty-one thousand and fifty-one and thirty-seven one hundredth dollars (\$121,051.37;) the certificates of stock issued under Act of December 21, 1858, one hundred and fifty-six thousand seven hundred and twenty dollars (\$156,720) of which redeemable in 1883, and one hundred and forty-five thousand nine hundred and ninety dollars (\$145,990) in 1885; the certificates of stock issued under Act of December 22, 1859, seventy-five thousand seven hundred and forty-six and twenty-four one hundredth dollars (\$75,-

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746.24) of which redeemable in 1887, and one hundred and thirty-nine thousand four hundred and thirty dollars (\$139,430) in 1889; the certificates of stock issued under Act of January 22, 1861, fifty-seven thousand eight hundred and ninety dollars (\$57,890) of which redeemable in 1882, and sixty-five thousand four hundred and fifteen dollars (\$65,415) in 1886; the certificates of stock issued under Act of February, 1863, redeemable in 1890, amounting to one thousand five hundred and sixty dollars (\$1,560;) the certificates of stock issued under Acts of September and December, 1866, redeemable in 1887, amounting to seventy-nine thousand four hundred and thirteen and ninety-four one-hundredth dollars (\$79,413.94;) the certificates of stock issued under Act of March 23, 1869, redeemable in 1888, amounting to sixty-four thousand dollars (\$64,000;) the bonds of the State issued under Act of June 1, 1838, redeemable in 1868, amounting to four hundred and eighty-one thousand nine hundred and forty-four and fifty-one one-hundredth dollars (\$481,944.51;) the bonds of the State issued under Act of December, 1853, redeemable in 1871, amounting to thirty-eight thousand dollars (\$38,000;) the bonds of the State issued under Act of December, 1855, redeemable in 1881, amounting to two hundred and forty-nine thousand dollars (\$249,000;) the bonds of the State issued under Act of December, 1854, two hundred thousand dollars (\$200,000) of which redeemable in 1875, one hundred and ninety-eight thousand dollars (\$198,000) in 1876, two hundred thousand dollars (\$200,000,) in 1877, two hundred thousand dollars (\$200,000) in 1878, and one hundred and sixty-eight thousand dollars (\$168,000) in 1879; the bonds of the State issued under Act of December, 1866, redeemable in 1885, amounting to eleven thousand six hundred dollars (\$11,600;) the bonds issued under the Acts of September and December, 1866, four hundred and sixty-five thousand four hundred dollars (\$465,400) of which redeemable in 1887, and four hundred and sixty-four thousand eight hundred dollars (\$464,800) in 1897; the bonds of the State issued under the Act of August 26, 1868, redeemable in 1888, amounting to eleven hundred and ninety-seven thousand dollars (\$1,197,000;) the bonds issued under the Act of August 26, 1868, redeemable in 1888, amounting to four hundred and eighty-four thousand dollars (\$484,000;) the bonds issued under the Act of September 15, 1868, redeemable in 1888, amounting to eleven hundred and eighty-nine thousand six hundred dollars (\$1,189,600;) the bonds issued under Act of February 17, 1869, redeemable in 1888, amounting to eight hundred and fifty-six thousand dollars (\$856,000;) the bonds issued under Act of March 27, 1869, redeemable in 1888, amounting to one hundred and twenty-four thousand dollars (\$124,000;) the bonds issued under

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State Treasurer shall exchange bonds and stock surrendered for other bonds at fifty per cent. of face value.

Certain conversion bonds declared null and void.

State Treasurer to issue bonds for coupons and interest orders.

Bonds to bear upon their face certain words.

Proviso.

Bonds and stocks to be signed by the Governor and Comptroller General.

Act of March 1, 1870, redeemable in 1888, amounting to three hundred and forty-three thousand dollars (\$343,000;) the bonds issued under Act of March 23, 1869, redeemable in 1888, for the purpose of exchange of any of the certificates of stock or bonds above enumerated, said fact being ascertainable from the Treasurer's registry of bonds and stocks converted, amounting to one million five hundred and seventy-seven thousand five hundred dollars, (\$1,577,500;) and shall thereupon, in exchange for, and in lieu of, said bonds and stocks so surrendered, issue to said holders other coupon bonds or certificates of stock as they may desire, equal in amount to fifty per centum of the face value of the bonds or certificates of stock so surrendered, and that the bonds known as the conversion bonds, amounting to \$5,965,000, and which were put upon the market without any authority of law, be, and the same are hereby, declared to be absolutely null and void.

SEC. 2. That the State Treasurer is hereby authorized and required to receive from the holders willing to surrender the same all the coupons upon the bonds before mentioned which have accrued, or will accrue, on the first of January, 1874, and the interest orders upon interest due upon certificates of stock as aforesaid, to the date aforesaid; and shall thereupon, in exchange for and in lieu of such coupons or interest orders so surrendered, issue to said holders coupon bonds or certificates of stock, as they may desire, equal in amount to fifty per centum of the face value of the coupons or interest orders so surrendered.

SEC. 3. That the bonds and certificates of stock herein authorized to be issued shall bear upon their face the words "Consolidation Bonds," "Certificates of Stocks," and shall also bear upon their face the declaration that the payment of the interest and the redemption of the principal is secured by the levy of an annual tax of two (2) mills upon the dollar upon the entire taxable property of the State, which declaration shall be considered a contract entered into between the State and every holder of said bonds and stocks: *Provided*, That no tax shall ever be levied to pay the interest or principal on any of the class of bonds or certificates of stock mentioned in the first Section, as long as such bonds or certificates of stock remain outstanding in their present form.

SEC. 4. That said bonds and certificates of stock shall be signed by the Governor, countersigned by the Comptroller General, and have the great seal of the State affixed thereto; the coupons shall be signed by the Treasurer, the name of the Treasurer being lithographed or engraved thereon. That there shall be preserved in the offices of the State Treasury and Secretary of State a description of the dates, amounts and time of issuing said bonds and certificates of

stock; and the bonds and certificates of stock so taken up shall be cancelled by the Treasurer, and a list of their dates, numbers and amounts, and by whom signed, recorded in the office of the Secretary of State.

A. D. 1873.

Record of
bonds to be
kept.

SEC. 5. That the said bonds and stocks shall bear interest at the rate of six per cent. per annum, payable semi-annually at the State Treasury, and at such place in the city of New York as shall be designated by the Financial Board of the State, on the first day of January and July in each year, and shall be of such denominations as may be most convenient, but of uniform design and appearance, and shall be payable within twenty years from the passage of this Act, and shall be dated January 1st, 1874, and the first coupon shall fall due July 1, 1874; and all coupons upon the bonds and the interest orders of said certificates of stock herein authorized to be issued shall be received in payment of all taxes due the State during the year in which they mature, except for tax levied for the public schools; and the said coupon bonds and stocks shall at all times be exchangeable, the one for the other, upon application to the State Treasurer.

Rate of in-
terest.When re-
deemable.Coupons re-
ceivable for
taxes.

SEC. 6. That the faith, credit and funds of the State are hereby solemnly pledged for the punctual payment of the interest and final redemption of the principal of said bonds and stocks, and for providing a surplus fund for that purpose.

State pledged
to pay interest
and principal
punctually.

SEC. 7. That the fund so created shall be kept separate and apart from all other funds, and shall be applied, first, to the payment of the annually accruing interest upon the bonds and certificates of stock herein authorized; second, the surplus remaining in the Treasury, after the payment of the said interest, shall be applied (on or after the first day of July of each year) to the extinguishment of the public debt, and to no other purpose.

Fund created
by Act to be
applied to pay-
ment of interest
and principal.

SEC. 8. That the Governor, Treasurer, Comptroller General, Chairman of the Committee on Finance of the Senate, and the Chairman of the Committee on Ways and Means of the House of Representatives shall constitute a Board of Commissioners for the management and control of the said surplus fund for the extinguishment of the public debt.

Board of
Commissioners

SEC. 9. That said Board shall give notice, by public advertisement, for thirty days prior to the first of September of each year, that they have under their control the sum of _____ dollars to be applied to the purchase of such bonds and stocks as may be presented by the holders thereof for payment on the 1st of September as aforesaid: *Provided*, That said bonds be purchased at a price not above their market value at the time of purchase, said value to be ascertained at the principal stock markets of the United States,

Purchase of
bonds, how to
be made.

Proviso.

A. D. 1873.

by bids from the holders thereof, due notice having been given in one or more newspapers in the cities of Columbia, Charleston, Baltimore, Philadelphia, New York, Boston and Chicago, and the stocks or bonds offered at the lowest price shall in all cases be the stock or bonds purchased.

Bonds and stocks to be cancelled when redeemed.

SEC. 10. That the bonds, coupons and stocks so redeemed shall be immediately cancelled by the holders thereof, at the time of redemption, and filed in the office of the Treasurer, and be entered as credits upon, and to that extent in the extinguishment of, the public debt. That a detailed statement of the number, denomination and series of the bonds and stocks so redeemed and cancelled, together with the price paid for each bond and stock as aforesaid, shall be prepared by the Treasurer, signed by the Board, and furnished to the General Assembly at each annual session thereof.

Statement of same to be made to the General Assembly.

Bonds received in exchange to be cancelled, and registry kept.

SEC. 11. That all bonds and stocks of the State received in exchange for the bonds or stocks herein authorized shall be cancelled immediately by the holders thereof, on presenting the same for exchange, and filed by the Treasurer with the permanent records of his office; and a correct registry shall be kept of all exchanges made under this Act, so as to exhibit in a separate account and convenient form the numbers and amounts of all bonds and stocks received into the Treasurer's office, together with the numbers and denominations of all bonds and stocks issued in exchange therefor. And the Secretary of State is hereby required to keep, at all times, a correct registry of all the bonds sealed by him under the provisions of this Act; and the Governor is, in like manner, hereby required to keep a similar registry of all bonds signed by him, each registry to be accessible for public inspection at all times.

Penalty for embezzlement or division of funds.

SEC. 12. That embezzlement or diversion of the said funds, whether directly or indirectly, by speculating in said bonds and stocks, or purchasing them at fictitious prices, are hereby declared to be a felony, punishable by a fine of not more than fifty thousand dollars nor less than five thousand dollars, and imprisonment for not more than ten years nor less than one year in the Penitentiary, proportionate to the amount embezzled or diverted; and the person or persons so offending shall be forever disqualified from holding any office of profit or trust in this State, unless the General Assembly shall, by a two-thirds vote, relieve him or them of such disability, upon payment into the Treasury of double the amount so embezzled or diverted.

Appropriation to defray expenses.

SEC. 13. That for the purpose of defraying the expenses to be incurred in carrying out the provisions of this Act, the sum of five thousand dollars, if so much be necessary, is hereby appropriated, to be drawn on the warrant of the Comptroller General to be ap-

proved by the Governor for the first year, and afterwards such sum as shall be fixed by law, and the said Board shall report to the General Assembly on or before December fifteenth, how said fund has been expended.

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SEC. 14. That if any officer of the State, upon whom any duty is devolved under the provisions of this Act, shall neglect or refuse to perform said duty, he shall be subject to indictment for felony, and, upon conviction thereof, shall be fined in a sum not less than ten thousand nor more than twenty thousand dollars, and imprisonment in the Penitentiary not less than three nor more than five years, at the discretion of the Court.

Penalty for neglect or refusal to perform duties under this Act.

Approved December 22, 1873.

AN ACT TO RE-CHARTER WHITE HALL FERRY, IN BEAUFORT COUNTY. No. 428.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the ferry over Beaufort River, leading from the town of Beaufort to Ladies' Island, be, and the same is hereby, re-chartered for the term of seven years, the same to be vested in Peter Gibbs and Peter Massey, their heirs and assigns, with the following rates of toll, to wit: Wagon and two horses, one dollar and fifty cents; wagon and one horse, one dollar; man and horse, fifty cents; each foot passenger, ten cents; and for cattle, hogs, sheep and goats, the same rates heretofore allowed: *Provided*, That school teachers and children, going to and returning from school, ordained and licensed ministers of the gospel, going to and returning from divine service, and voters, on election days, going to and returning from the polls, shall pass free.

Ferry over Beaufort River re-chartered.

Proviso.

SEC. 2. That the incorporators be required to keep a large, safe, sea-worthy boat and flat to run on said ferry, and that they be required to make regular trips from each side of the ferry at least once every hour from six o'clock A. M. till 7 o'clock P. M., and on Sundays every two hours.

Ferry boat to make regular trips.

Approved December 22, 1873.

A. D. 1873. **AN ACT TO AMEND AN ACT TO FIX THE TIME FOR HOLDING OF THE CIRCUIT COURTS IN CERTAIN COUNTIES HEREIN MENTIONED, RELATING TO THE COUNTY OF AIKEN.**
 No. 429.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an "Act to fix the time for holding of the Circuit Courts in certain Counties herein mentioned," passed February 4, 1873, be amended by striking out, on the fourth line, the word "second," and insert the word "first" therein, so that the same reads "after the first Monday of January, May and September."

"First" inserted in lieu of "second."

Approved December 22, 1873.

No. 430. **AN ACT TO INCORPORATE THE TOWN OF LAURENS.**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State, having resided twelve months within this State, and sixty days in the town of Laurensville, shall be deemed, and are hereby declared to be, a body politic and corporate, and shall be known by the name of the town of Laurens, and its corporate limits shall extend one and one-half miles North, South, East and West from the Court House, forming a square.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and who shall have resided in this State twelve months, and shall have been residents of the said town sixty days immediately preceding their election, and who shall be elected on the second Tuesday in January, 1874, and on the same day in each year thereafter, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of the United States, and who shall have resided within the State twelve months, and in the said town sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens, paupers and persons under disabilities for crime excepted.

SEC. 3. That said election shall be held at some convenient public place in said town from six o'clock in the morning until six o'clock in the afternoon; and when the polls shall be closed, the

Managers shall forthwith proceed to count the votes and declare the election, and give notice thereof, in writing, to the Intendant therein being, who shall, within two days thereafter, give notice, or cause the same to be given, to the persons duly elected: *Provided*, The Commissioners of Election of Laurens County shall call the first election under this Act, and shall appoint Managers to conduct the same, who shall make return thereof to the Commissioners, the same as other elections held in this State; and the said Commissioners shall count the votes and declare the election, and notify the persons so elected Intendant and Wardens of the said town. The Intendant and Wardens, before entering upon the duties of their offices, shall, respectively, take the oath prescribed by the Constitution of the State, and also the following oath, to wit: "As Intendant (or Warden) of the town of Laurens, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected: So help me God." And if any person, upon being elected Intendant or Warden, shall refuse to act as such, he shall forfeit and pay to the Council the sum of twenty dollars, for the use of the said town: *Provided*, That no person who has attained the age of sixty years shall be compelled to serve in either of said offices; nor shall any other person be compelled to serve, either as Intendant or Warden, more than one year in any term of three years. The Intendant and Wardens, for the time being, shall always appoint one or more Boards of Managers, three Managers for each Board, to conduct the election, who, before they open the polls, shall take an oath to fairly and impartially conduct the same.

A. D. 1874.

Managers of Election.

Oath of office.

SEC. 4. That all the powers, privileges and rights conferred upon, together with all the restrictions and penalties imposed upon, the town of Anderson by an Act entitled "An Act to renew and amend the charter of the town of Anderson," approved March 9, 1871, be, and the same are hereby, granted to and imposed upon the Town Council of the town of Laurens.

Invested with powers, &c., conferred on town of Anderson.

Approved December 22, 1873.

AN ACT TO ALTER AND AMEND SECTION 25 OF CHAPTER XXV,
TITLE VI, PART I, OF THE GENERAL STATUTES.

No. 431.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That wherever the word "freeholders" occurs in Section 25 of Chapter XXV, Title VI, Part I,

Word "freeholders" stricken out wherever it occurs.

A. D. 1874.

"Persons
qualified by
law to serve as
jurors" substi-
tuted.

of the General Statutes, the said word "freeholders" be, and the same is hereby, stricken out, and the words "persons qualified by law to serve as jurors," substituted therefor.

Approved January 29, 1874.

No. 432. AN ACT TO REQUIRE ALL INSTITUTIONS DOING BUSINESS IN LENDING MONEY AND RECEIVING DEPOSITS UNDER CHARTERS GRANTED BY THE STATE, TO PUBLISH QUARTERLY STATEMENTS OF THEIR BUSINESS AND CONDITION.

Institutions
lending money
and receiving
deposits to
make quarterly
statements of
their condi-
tion.

Statement to
be made under
oath.

Charters of
institutions
failing to com-
ply to be va-
cated.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all institutions doing business in this State in lending money and receiving deposits, under Acts of incorporation granted by the State, be, and they are hereby, required, under penalty of a forfeiture of their charters, to publish in a newspaper in the city, town, or village where they, or any branch thereof, may do business, at the end of every three months, a correct report of the condition and business of such institution, which report shall contain a statement, under oath, by the President or Cashier of such institution, of the amount of the capital stock paid in, deposits, discounts, property, and liabilities of said institution, verified by three of the Directors thereof.

SEC. 2. Upon failure of any such institution to publish the report required in the first Section hereof, the Attorney General, on notice thereof, shall at once take the necessary steps to vacate the charter of said institution.

Approved January 29, 1874.

No. 433. AN ACT TO INCORPORATE THE FARMERS' AND PLANTERS' SAVING AND LOAN ASSOCIATION, OF HAMBURG, SOUTH CAROLINA.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel J. Lee, Samuel Spencer, Louis Schiller, Prince R. Rivers, John Williams, C. D. Hayne, John S. Simms, John Gardner, and such other persons as they may associate with them, their successors and as-

signs, be, and they are hereby, constituted a body corporate and politic, by the name and style of the "Farmers' and Planters' Saving and Loan Association, of Hamburg," and by their corporate name may sue and be sued, plead and be impleaded, in any Court of competent jurisdiction in this State: *Provided*, That the stockholders of said corporation shall be liable to the amount of their respective share or shares of stock in said corporation for all its debts and liabilities upon note, bill or otherwise: *And, further*, No Director, or other officer of said corporation, shall borrow any money from said corporation, and if any Director, or other officer, shall be convicted, upon indictment, of directly or indirectly violating this Section, he shall be punished by fine or imprisonment at the discretion of the Court; the books and accounts of said corporation shall be open to inspection, under such regulations as may be prescribed by law.

A. D. 1874.

Corporate name.

Proviso.

Officers of corporation not to borrow money from same.

Violation of this provision punishable by fine or imprisonment.

SEC. 2. That the said corporation shall have power and authority to make such rules and by-laws for its government as are not repugnant to the laws of the land, shall have a common seal, with power to change the same at will, and have such numbers and succession of members and officers as shall be ordained and chosen according to their said rules and by-laws, made or to be made by them.

Powers and privileges.

SEC. 3. That the capital stock of said Association shall be five hundred shares, or twenty-five thousand dollars, (\$25,000) each share to be fifty dollars, with the privilege of increasing the same to any amount, not exceeding one hundred thousand dollars, to be divided as above stated, in shares of fifty dollars.

Capital stock.

SEC. 4. That the said Association shall be ready for business when a sufficient number of shares have been taken, by paying one-fourth of each share, to the amount of five thousand dollars in cash. The Association shall organize by electing one of their number President, one Secretary, and one Treasurer, and such number of Directors, not exceeding nine, and other officers as they may deem necessary. At such election, each share shall have one vote.

When may commence business.

SEC. 5. The office or place of business of the Association shall be in the town of Hamburg. The capital of the Association shall be used to aid farmers and planters by advances of moneys or means to make their crops, and for such other purposes as they may deem proper and expedient, and shall take such securities as will make it safe to them.

Office to be located at Hamburg.

Objects of corporation.

SEC. 6. The said Association may own, have, hold and enjoy real and personal property of all kinds, sell, alien, assign, transfer or dispose of the same at such time and on such terms as may to them

A. D. 1874.

Proviso.

seem proper : *Provided*, No real estate shall be disposed of only by the consent of a majority of the Board of Directors.

SEC. 7. That this Association shall have all the rights and privileges vested in like corporations in this State, to do and carry on such business as they shall deem to the interest of the shareholders. They shall, after ten days' notice by the officers, have a right to make such additional assessment on the shareholders as may be necessary to carry on the business.

SEC. 8. This Act shall be deemed a public Act, and remain in force until repealed.

Approved January 29, 1874.

No. 434. AN ACT TO INCORPORATE THE CLARENDON AGRICULTURAL AND PROGRESSIVE ASSOCIATION, OF CLARENDON COUNTY, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. M. Benton, W. M. Dixon, June Walker, Edwin Bertrand, A. Collins, Rushus Servance, Thomas Pendergrass, Ellison Thomas, Jacob Ballard and Levander Servance, and their successors in office and associates, be, and they are hereby, declared a body politic and corporate, under the name and style of the Clarendon Agricultural and Progressive Association, of Clarendon County, South Carolina, with a capital stock not to exceed twenty-five thousand dollars, in shares of twenty-five dollars each.

SEC. 2. That said corporation is hereby empowered to have and to use a common seal, and the same to alter at pleasure; to hold real and personal property, whether acquired by gift, devise or purchase, and the same, or any part thereof, to alien, sell or transfer; to adopt such constitution, and pass such by-laws, not inconsistent with the laws of the land, as may, in the opinion of the members of said corporation, appear best calculated to promote the aims and objects thereof; to sue and be sued, plead and be impleaded, in any Court of competent jurisdiction; and to have all other rights, privileges and immunities that are now secured by law to corporate bodies.

SEC. 3. That this Act be deemed a public Act, and shall have force until repealed.

Approved January 29, 1874.

AN ACT TO INCORPORATE THE PEE DEE YOUNG MEN'S PLANTING CLUB.

A. D. 1874.

No. 435.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Sam Bolles, Philander Reed, Charles H. Sperry, James A. Bowley and C. S. Green, and their associates and successors, be, and the same are hereby, incorporated and declared a body politic and corporate, under the name and style of the Pee Dee Young Men's Planting Club.

Corporators.

Corporate name.

SEC. 2. And said corporation shall have power to make by-laws, not repugnant to the laws of the land, and shall have succession of officers and members according to their elections; to use and keep a common seal, and the same at will to alter; to sue and besued in any Court of this State; to have and enjoy every right and privilege incident to such corporation; and it is hereby empowered to acquire, retain and enjoy all such property, real and personal, not exceeding in value twenty-five thousand dollars, as may be given or bequeathed to or purchased by it, and to sell, convey or mortgage the same or any part thereof at will.

Powers and privileges.

Amount of property held not to exceed \$25,000.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved January 29, 1874.

AN ACT TO EMPOWER CORONERS TO PUNISH FOR CONTEMPT. No. 436.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whenever any person or persons shall willfully disturb or impede the proceedings of a jury of inquest while inquiring into the cause of any death, or shall offer any contempt to the person or authority of the Coroner while so engaged, the Coroner is hereby empowered to commit such person or persons to the common jail of the County, for a time not exceeding twenty-four hours.

Coroners to punish for contempt, and commit offenders to jail.

SEC. 2. That any person who shall have been at any time duly summoned to attend and serve upon a Coroner's jury who shall neglect or refuse to so attend and serve without proper excuse shall be liable to be punished for contempt; and the Coroner is hereby authorized and empowered to punish such contempt by fine not exceeding twenty dollars, or imprisonment not more than twenty-four hours, or both, at his discretion.

Persons refusing to serve on Coroner's jury punishable by fine or imprisonment.

Approved January 29, 1874.

A. D. 1874.

No. 437.

AN ACT TO CHARTER THE BOATMEN'S PHOSPHATE RIVER MINING COMPANY, IN THE STATE OF SOUTH CAROLINA, AND TO GRANT TO THE PERSONS NAMED THEREIN, AND THEIR ASSOCIATES, THE RIGHT TO DIG AND MINE IN THE BEDS OF THE NAVIGABLE STREAMS AND WATERS OF THE STATE OF SOUTH CAROLINA FOR PHOSPHATE ROCKS AND PHOSPHATIC DEPOSITS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State of South Carolina does hereby give and grant to the following persons, to wit, William T. Elfe, S. B. Garrett, Sancho Thompson, Lemuel Marshall, John X. Furman, Prince F. Stevens, July Rivers, John M. Freeman, Jr., Thomas Osborn, and such other persons as they may associate with them, the right to dig, mine and remove, for the full term of thirty years, from the beds of the navigable streams and waters within the jurisdiction of the State of South Carolina, the phosphate rocks and phosphatic deposits: *Provided*, That the persons named, and their associates, shall not in any way interfere with the free navigation of the navigable streams and waters of this State, or the private rights of any citizen or citizens residing upon or owning the lands upon the banks of the said navigable rivers and waters of the State.

SEC. 2. That this gift and grant is made upon the express condition that the said grantees shall pay to the State of South Carolina the sum of one dollar per ton for every ton of phosphate rock and phosphatic deposits dug, mined and removed from the navigable rivers and waters of the State; and, further, that the said grantees shall pay into the State Treasury the sum of one hundred dollars as a license fee before commencing business under this grant.

SEC. 3. That the said grantees and their associates shall make true and faithful returns to an authorized officer, annually, on or before the first day of October, and oftener if required by the said officer, of the number of tons of phosphate rocks and phosphatic deposits dug, mined and removed by them from the beds of the navigable streams and waters of the State, and shall punctually pay to the State Treasurer annually, on the first day of October, one dollar per ton for every ton of phosphate rocks and phosphatic deposits by them dug, mined and removed from the beds of the navigable streams and waters of the State during the year preceding. The books of said grantees, and their associates, shall be opened to the inspection of the said officer, or agent duly appointed by him for that purpose; and they shall give a bond in the penal sum of

Corporators.

Certain rights vested in.

Not to obstruct the navigable streams and waters of the State.

Grantees to pay to State one dollar for every ton of phosphates dug.

Returns to be made to an authorized officer.

Royalty to be paid on 1st October of every year.

Books of corporation to be open for inspection of authorized agent.

(\\$5,000) five thousand dollars, conditioned that said grantees and their associates shall make true and correct returns of all phosphate dug by them, said bond to be filed in the office of the Comptroller General.

A. D. 1874.

Bond to be given for the performance of certain requirements.

SEC. 4. That the capital stock of said company shall consist of thirty thousand (30,000) dollars, to be divided into shares of ten dollars each, with the privilege of increasing the same to an amount not exceeding one hundred thousand dollars; and when the sum of three thousand dollars shall have been subscribed, the said company may be organized and go into operation.

Capital stock.

SEC. 5. That the profits of said company may from time to time be divided among the stockholders, according to such rules and regulations as they may prescribe, not repugnant to the laws of the State.

Profits to be divided among stockholders.

Approved January 29, 1874.

AN ACT TO AMEND A JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF BEAUFORT COUNTY TO LEVY A SPECIAL TAX, APPROVED FEBRUARY 26, 1873. No. 438.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of a Joint Resolution authorizing the County Commissioners of Beaufort County to levy a special tax, approved February 26, 1873, be, and the same is hereby, amended by striking out all after the words "duty of the Treasurer," and insert the following: "To report the amount of money collected from this tax, the same as all other taxes are reported, to the County Commissioners; and whenever one thousand dollars are reported in the Treasury the County Commissioners shall advertise for thirty days for sealed bids from parties holding checks or audited claims contracted prior to November 1, 1872; said bids shall be opened at a regular meeting of the Board, and they shall draw orders on the Treasurer for parties who will offer the largest per centum discount on their checks or audited claims.

Treasurer to report amount of money collected to County Commissioners.

County Commissioners to draw orders on Treasurer.

SEC. 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved January 29, 1874.

A. D. 1874.

No. 439.

AN ACT TO PROVIDE FOR THE PAYMENT OF THE CLAIMS HEREIN NAMED.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of nineteen thousand (19,000) dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the payment of the following claims in the hands of one Phineas F. Frazee, who owns and holds the same, to wit: One bill payable or certificate of the late State Treasurer, No. 1, bearing date March 13, 1872, for twenty-five hundred (2,500) dollars; one bill payable or certificate of the late State Treasurer, No. 9, bearing date March 14, 1872, for twenty-five hundred and seventy-three four one-hundredths (2,573.04) dollars; one bill payable or certificate of the late State Treasurer, No. 27, bearing date March 18, 1872, for five thousand and forty-one sixty one-hundredths (5,041.60) dollars; one bill payable or certificate of the late State Treasurer, No. 27½, bearing date March 18, 1872, for six thousand (6,000) dollars; all of which said bills payable or certificates of the late State Treasurer were issued under and pursuant to the provisions of the Joint Resolution of March 12, 1872, together with the interest on said bills payable or certificates of the late State Treasurer, at the rate of seven per cent. per annum; and also for the payment of legislative pay certificates issued to, and drawn in favor of, members and attachees of the General Assembly for the year 1871-72, not exceeding in amount the sum of five hundred dollars.*

Nineteen thousand dollars appropriated to pay claims of P. F. Frazee.

Description of claims.

Comptroller-General to draw warrant on State Treasurer.

Claims to be canceled and filed.

SEC. 2. That the Comptroller General of the State be, and he is hereby, authorized and required, on presentation and the surrender of the claims enumerated in the preceding Section of this Act, to draw his warrant or warrants, in such amounts and denominations as the claimant may desire, upon the State Treasurer, for the payment of the said claims so presented and surrendered; and he shall cancel the said claims so presented and surrendered, and preserve and file them in his office as his vouchers for his warrant or warrants so issued.

SEC. 3. That the State Treasurer be, and he is hereby, authorized and required to pay the Comptroller General's warrant or warrants issued under and pursuant to the provisions of Section 2 of this Act.

State Treasurer directed to pay warrants.

Approved January 29, 1874.

AN ACT TO AUTHORIZE JOHN EIDER OHLANDT TO BUILD A DOCK AND COLLECT WHARFAGE IN THE TOWN OF BEAUFORT. A. D. 1874.
No. 440.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John Eider Ohlandt be, and is hereby, authorized to build a dock to deep water in front of the property owned by him in the town of Beaufort, to collect wharfage on the same, and to use, sell or lease said dock for his own benefit, subject to any laws now existing or hereafter to be made in relation to such property.

John Eider Ohlandt to build a dock and collect wharfage in the town of Beaufort.

Approved February 6, 1874.

AN ACT PROVIDING FOR THE EXTENSION OF THE TIME FOR THE PAYMENT AND COLLECTION OF TAXES FOR THE FISCAL YEAR COMMENCING NOVEMBER 1ST, 1873, AND FOR OTHER PURPOSES. No. 441.

Whereas delay in the levy of certain taxes to meet appropriations for the fiscal year commencing November 1st, 1873, has continued beyond the time prescribed by law for the commencement of the collection of the same, and the time for the payment of said taxes before penalties must attach having already passed;

Preamble.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That if any of the duties required to be performed in an Act entitled "An Act providing for the assessment and taxation of property," or an Act of amendment thereto, on or before a certain day, by any officer or person therein named, cannot, for want of proper time, be so performed, in the payment or collection of taxes to be levied to meet appropriation for the fiscal year commencing November 1, 1873, the Comptroller General, with the approval of the Governor, shall extend the time as long as may be necessary therefor. And it shall be lawful for the said Comptroller General, with the like approval, to extend the time wherein the penalty or penalties shall attach, and also the time when the advertisement and sale of such delinquent lands may be made, so as the same may conform to, as near as may be, the period fixed by law; and all advertisements and sales made in accordance with the instructions of the said Comptroller General,

Comptroller-General and Governor to extend time for collection of taxes and sale of delinquent lands.

A. D. 1874.

and all acts done, or required to be done, by any officer charged with any duties required in the collection of taxes or connected therewith by virtue of such authority, shall be in all respects as legal and shall have the same force and effect as if the said acts had been done and the duties performed within the period now fixed and specified by law.

Approved February 6, 1874.

No. 442. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE THE APPOINTMENT AND SALARY OF TRIAL JUSTICES IN THE CITY OF CHARLESTON."

Act to regulate appointment of Trial Justices in Charleston amended.

Certain words to be stricken out and others inserted.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to regulate the appointment and salary of Trial Justices in the city of Charleston" be amended as follows: In Section 1, line five, (5,) strike out the word "five" and insert "eight." In Section 2, on line five, (5,) strike out all after the word "Governor" and insert the following: "One to each ward, and each of the said Trial Justices shall have his office in the ward in which he is appointed." In Section 3, on line three, (3,) strike out "twelve" and insert "ten (10)."

County Treasurer to set aside sufficient money to pay salaries.

Failure of Treasurer to comply, a misdemeanor.

SEC. 2. That the County Treasurer of Charleston be, and he is hereby, instructed to set aside annually out of the County funds a sum sufficient to pay the salaries of the officers herein provided, and failure on the part of the said Treasurer to comply with the requirements of this Section shall be considered a misdemeanor, the penalty for which shall be fine or imprisonment, as may be deemed best in the judgment of the Circuit Court.

Approved February 6, 1874.

No. 443. AN ACT TO INCORPORATE THE HAMBURG WAREHOUSE COMPANY.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That P. R. Rivers, Louis Schiller, C. D. Hayne, John Williams, Samuel Spencer, John Gardner, and their associates and successors, are hereby created

and constituted a body politic and corporate, under the name and style of the Hamburg Warehouse Company, and by that name may sue and be sued in all the Courts of this State; shall have a common seal, with power to change the same at pleasure; to make such rules and by-laws for their government as may seem to them proper, not inconsistent with the laws of the land, and for the government of its property, franchises and business; to acquire, have, hold, lease and convey real and personal property to any amount not exceeding fifty thousand (50,000) dollars at one time.

A. D. 1874.

Corporate name.

Powers and privileges.

SEC. 2. Said corporation shall be authorized to either purchase, take upon storage or deposits any description of property; to make loans on property, and to take such securities, real and personal, therefor as to them may seem proper and safe: *Provided*, That nothing herein contained shall authorize said corporation to engage in or exercise the business commonly known as "pawn-broking."

Proviso.

SEC. 3. The capital stock shall be twenty thousand (20,000) dollars, with power to increase the same to one hundred thousand (100,000) dollars, to be issued in shares of fifty (50) dollars each, such shares to be personal property and be transferable only upon the books of the corporation; and said corporation shall be authorized to commence business when ten per cent. of the capital shall have been paid in: *Provided*, That the stockholders of the company shall be liable to the amount of their respective share or shares of stock in said company for its debts and liabilities upon note or otherwise.

Capital stock.

Corporation may commence business when ten per cent. of capital stock is paid in.

Stockholders to be liable for debts of corporation.

SEC. 4. The property and business of the said corporation shall be managed and controlled by a Board of Trustees, to consist of not less than three nor more than five, who shall be chosen by a majority in interest of the stockholders at such times and places, and for such term, not less than one year, as shall be fixed by the by-laws of the corporation, and who shall hold their office until their successors are elected and qualified. Those elected shall choose one of their number as Chairman, one as Secretary, one as Treasurer. The first four named incorporators are hereby authorized to receive subscriptions to the capital stock of said company, at any time and place they may deem expedient, or to appoint other suitable persons to do so.

Business to be conducted by Board of Trustees.

Certain persons authorized to receive subscriptions to capital stock.

SEC. 5. This Act shall take effect immediately, and remain in force until repealed.

When to take effect.

Approved February 12, 1874.

A. D. 1874. **AN ACT TO INCORPORATE THE PLANTERS' REPUBLICAN SOCIETY OF ST. HELENA ISLAND, BEAUFORT COUNTY.**
 No. 444.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Hastings Gantt, Joseph Bird, Toby Bias, Plato Fields, Moses Brown, Harry Jenkins, Toby Brown, Benjamin Day, and their associates and successors, be, and they are hereby, constituted a body corporate and politic, under the name of "The Planters' Republican Society, of St. Helena Island, Beaufort County," with the right to hold and own property not exceeding in value the sum of ten thousand dollars, with the right to sue and be sued; to plead and be impleaded, in any Court of competent jurisdiction; to have and use a common seal, and the same to alter at will and pleasure, with the right also to make such by-laws for the government of the said corporation not inconsistent with the laws of the land.

SEC. 2. This Act shall be deemed a public Act, and shall remain in force until repealed.

Made a public Act.

Approved February 12, 1874.

No. 445. AN ACT TO INCORPORATE THE BEAUFORT COUNTY AGRICULTURAL AND MECHANICAL ASSOCIATION.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Robert Smalls, P. L. Wiggins, Samuel Green, W. Kressel, F. W. Sheper, S. W. Wallace, J. B. Bascomb, J. H. Ruddell, C. J. Colcock, R. L. Bostick, E. J. Ravenah, J. W. Collins, William Fields, R. F. Greaves, Dr. Paul Pritchard, John M. Harvey, Hastings Gantt and J. A. J. Gill, and their associates and successors, be, and they are hereby declared to be, a body corporate and politic in law, by the name of the "Beaufort County Agricultural and Mechanical Association," and by said name shall have perpetual succession of officers and members, and a common seal, with power to change the same as often as the said corporation shall deem expedient; and the said corporation shall be liable and capable in law to purchase, have, hold, receive, enjoy, possess and retain to itself and its successors, in perpetuity, any and every estate, real or personal, whether accruing to the same by gift, purchase, devise or conveyance, not exceeding in value fifty thousand dollars, and the same, or any part

Corporators.

Corporate name.

Powers and privileges.

May hold real estate to amount of \$50,000.

thereof, to sell, alien, devise or exchange as often as the said corporation may deem proper; and by its name to sue and be sued, implead and be impleaded, answer and be answered, in any Court in this State; and to make such by-laws and rules for the government of said corporation as may from time to time be deemed necessary: *Provided*, Such by-laws and rules be not repugnant to the laws of the land: *Provided, further*, That the real and personal property of each corporator shall be liable for the debts of said corporation or assigns in any amount not exceeding the par value of the stock held by them.

A. D. 1874.

Proviso.

Corporators
to be liable for
debts of corpora-
tion.

SEC. 2. That the principal end of said corporation shall be the promotion of agriculture, mechanical arts and other industry and ingenuity through an annual fair, to be held in the said County of Beaufort, and other appropriate measures, according to such rules and regulations as they may see fit to establish.

Object of cor-
poration.

SEC. 3. The members of said corporation shall be severally liable for all debts and contracts of said corporation only to the extent and amount of their respective shares therein; and the capital stock of the said corporation shall not be less than five thousand dollars, nor more than fifty thousand.

Capital stock.

SEC. 4. That the property and stock of the said corporation shall be exempt from State, County and municipal taxation so long as no dividends shall be declared and distributed among its members.

To be exempt
from taxation
while no divi-
dends are de-
clared.

SEC. 5. This Act shall be deemed a public Act, and shall continue in force for twenty-one years.

Approved February 12, 1874.

AN ACT TO AMEND AN ACT TO FIX THE TIME FOR THE HOLDING OF THE CIRCUIT COURTS IN CERTAIN COUNTIES THEREIN MENTIONED, RELATING TO THE COUNTY OF HORRY, APPROVED FEBRUARY 4, 1873. No. 446.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section three (3) of an Act entitled "An Act to fix the time for the holding of the Circuit Courts in certain Counties therein mentioned, relating to the County of Horry, approved February fourth, (4), 1873," be, and is hereby, amended as follows: "The Court of General Sessions at Conwayboro, for the County of Horry, on the first Monday after

Courts—time
of holding in
Horry County.

A. D. 1874. the fourth Monday of February, June and October; and the Court of Common Pleas at Conwayboro, for the County of Horry, on the first Wednesday after the first Monday after the fourth Monday of February, June and October."

Approved February 12, 1874.

No. 447. AN ACT TO INCORPORATE CERTAIN BENEVOLENT SOCIETIES IN BEAUFORT COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Brister Baker, Richard Washington, Jr., Walley Green, A. R. Middleton, John Houston, E. D. Lopez, Samuel Malijer, Gabriel Parker, their associates and successors, be, and they are hereby made and created, a body corporate and politic, in deed and in law, by the name and style of the "Benevolent Society of the Tabernacle Church, of Beaufort," with all rights and privileges incident to corporations under the laws of this State; and that Peter Deas, Precilla Bird,

Corporators.

Corporate name.

Corporators. Cateline Green, Chance Smith, Samuel Green, Dianah Jenkins, their associates and successors, be, and they are hereby made and created, a body corporate and politic, in deed and in law, by the name and style of the "Ladies and Gentlemen of Charity Society, of Lady Island," with all the rights and privileges incident to corporations under the laws of this State; and that William Mathews, Mingo Faultain, Peter Washington, B. F. Young, and their associates and successors, be, and they are hereby made and created, a body corporate and politic, in deed and in law, by the name and style of the "Christian Hope Society, of Paris Island," with all the rights and privileges incident to such corporations under the laws of this State.

Corporators.

Corporate name.

Powers and privileges. SEC. 2. That the said corporations shall have, hold and enjoy all such real and personal property as they may acquire by gift, grant, purchase or otherwise, not exceeding in value the sum of ten thousand dollars; that they may have and use a common seal, the same to be altered at pleasure.

SEC. 3. This Act shall be deemed a public Act, and continue of force until repealed.

Approved February 12, 1874.

AN ACT TO PROVIDE FOR THE REDEMPTION OF FORFEITED
LANDS UPON CERTAIN CONDITIONS THEREIN MENTIONED.

A. D. 1874.

No. 448.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in all cases where lands have been forfeited to the State by virtue of existing laws, for the non-payment of taxes, prior to the passage of this Act, and where the titles to said lands still remain in this State, the owners of said lands, or, if they be dead, their legal representatives or heirs at law, shall have the right, and they are hereby authorized, to redeem the same upon the payment of all taxes, costs and penalties due and owing upon the same within twelve months after the ratification of this Act; and the County Auditors of those Counties where such lands are situate, upon the payment of such taxes, costs and penalties within the time herein limited, shall expunge the said lands from the forfeited land records of their respective Counties: *Provided*, That if the owners of said lands, or, if they be dead, their heirs at law or legal representatives, shall fail, within the time limited, to redeem said forfeited lands, as hereinbefore prescribed, then any judgment creditor, mortgagee or other person interested in said lands, is hereby authorized to redeem the said forfeited lands within three months after the expiration of the time limited for the owner or heirs of such person to redeem them, upon the same terms and with the same rights as are accorded in the provisions of this Act to owners, or, if they be dead, their legal heirs or representatives.

Forfeited lands may be redeemed on certain conditions.

Time for redemption.

When redeemed County Auditors to expunge from forfeited land record.

Proviso.

Any person interested in lands may redeem.

SEC. 2. That it shall be the duty of the County Auditor of each County, after the time shall have expired provided in this Act for the redemption of lands which have been forfeited to the State for the non-payment of taxes, to give notice of the sale of the same by advertisement in at least one newspaper of the County in which the lands are situated for thirty days prior to the sale, or, if there be no newspaper in the County, in one which has the largest circulation in said County at the time of such sale. The said lands shall not be sold at a price less than the assessed value of the same at the time they became forfeited to the State; one-third of the purchase money to be paid down, and the balance, with interest, in two annual installments: *Provided, however*, If any person elects to pay the full amount of the purchase money at once, he can do so.

County Auditor to publish notice of sale of forfeited lands.

Lands not to be sold for less than assessed value.

Purchase money, how payable.

SEC. 3. That all moneys accruing under the provisions of this Act which shall be in excess of taxes, penalties, interest or claims upon the lands due the State shall be set apart and retained in the hands of the County Treasurer as a school fund for the County in

Moneys accruing in excess of taxes, penalties, &c., to be used for school purposes.

A. D. 1874.

which the forfeited lands have been sold; the said fund to be used for educational purposes only, to be appropriated according to the existing laws of this State.

Patents to be
issued to *bona
fide* purchasers.

SEC. 4. That after the purchase money shall have been fully paid, together with the interest thereon, the Governor is authorized and required to cause a patent or patents to be issued to any such person as may be the *bona fide* purchaser, owner, assignee or transferee of such lands or tenements, under and by virtue of any certificates of sales, or under and by virtue of any assignment or transfer of such certificate: *Provided*, That in case of an assignment or transfer of a certificate of sale, the person applying for such patent shall give satisfactory proof to the County Treasurer of the preceding transfers and assignments.

County Treasurers to make
detailed report to General Assembly.

SEC. 5. That the County Treasurer of each County shall, on or before December 15 of each year, report to the General Assembly all lands sold under the provisions of this Act, the certificates of sale issued, and the terms as well as the amount of each sale, and the disposition of the funds so derived.

Moneys accruing to the
State—how to be accounted
for.

SEC. 6. All moneys accruing to the State under the provisions of this Act, except as provided for in Section 3, for the school fund shall be paid over and accounted for in the same manner as money received for taxes.

SEC. 7. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved February 13, 1874.

No. 449. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE SPARTANBURG AND ASHEVILLE RAILROAD COMPANY."

Counties, cities or towns
may subscribe to capital
stock.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act it shall be lawful for any County, town or city in this State interested in the construction of the Spartanburg and Asheville Railroad in South Carolina, or any branch thereof, to subscribe to the capital stock of said company, or of any company with which it may consolidate or unite, such sum, and to be payable in such manner, as the people or the proper authorities of such County, town or city shall deem best, determine and author-

ize : *Provided*, That the amount of stock to be subscribed shall not exceed five per cent. of the entire valuation of the entire property of the County, town or city so subscribing : *Provided, further*, That the County, city or town subscribing, under the provisions of this Act, to the capital stock of the said railroad company shall have issued to the said County, city or town preferred stock in said railroad company to the amount of said subscription.

A. D. 1874.

Amount of stock subscribed must not exceed five per cent. of the value of the property of the County, city or town, &c.

SEC. 2. That it shall be the duty of the County Commissioners of such County, for their respective Counties, and the proper authorities of such town or city, for their respective towns and cities, interested in the construction of the road aforesaid, upon the petition of one hundred legal voters of such County, or twenty-five legal voters of such town or city, to submit the question of subscription or no subscription, and the sum or sums to be subscribed to the said capital stock, to a vote of the qualified voters of such County, town or city, and to that end public notice shall be given for thirty days previous of the time and places where and when the vote will be taken upon said question of subscription or no subscription.

Question of subscription to be submitted to qualified voters.

Notice to be given of the time and places of voting.

SEC. 3. That the County Commissioners of such Counties and the proper authorities of the several cities and towns which may vote for subscription to the capital stock aforesaid be empowered, as soon as the said railroad company shall have complied with the terms of subscription, to have levied and collected from year to year, on the taxable property of such County, town or city, a sum of money sufficient to meet the interest accruing on such bonds as may be issued to meet such subscription to the capital stock of the said Spartanburg and Asheville Railroad Company, and to provide for the payment of said bonds as they may fall due.

Tax to be levied to meet interest accruing on bonds.

SEC. 4. That no stockholder of said company shall be held liable for the debts, contracts or acts of said corporation beyond the amounts actually subscribed to the capital stock of said company by such stockholder.

Stockholders shall not be liable for the debts of the corporation beyond the amount of stock owned.

SEC. 5. That the election to be ordered under the provisions of this amendment shall be held by Managers to be appointed by the County Commissioners of the respective Counties, or the town and city authorities of their respective towns and cities, in accordance with the laws and regulations providing for general elections in this State: *Provided*, The returns of the polls shall be made to the said County Commissioners or proper town or city authorities, as the case may be, who shall declare the result.

Managers of Election—by whom appointed.

Proviso.

Approved February 13, 1874.

A. D. 1874.

No. 450.

AN ACT TO INCORPORATE THE PIEDMONT MANUFACTURING COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Henry P. Hammett, Hamlin Beattie, Alexander McBee and Thomas C. Gower, and their associates and successors, are hereby made and created a body politic and corporate in law, under the name and style of the Piedmont Manufacturing Company, for the purpose of manufacturing, dyeing, printing and finishing all goods made of cotton or wool, or of which cotton or other fibrous articles may form a part, and for grinding wheat, corn and other grain, sawing lumber and selling merchandise, and for the transaction of all such business as may be necessarily connected therewith, and may erect such mills, buildings, machine shops and other works as may be required or necessary to carry on such branches of manufacture and business, and may make and procure such machinery, tools and implements as may be required or necessary for the same; and they shall have power to raise by subscription, in shares of one hundred dollars each, a capital of three hundred thousand dollars, with the privilege of increasing the said subscription to a capital of five hundred thousand dollars, the consent of a majority of the stockholders being first had and obtained before said increase of the capital is made.

SEC. 2. That the said corporation may purchase and hold such real estate as they may think necessary for their purposes, and such as they may deem it for their interest to take in the settlement of any debts due to them, and may dispose of the same; and may sue and be sued in all Courts of law and equity, have and use a common seal, and make such by-laws and regulations for their government as they may deem proper and necessary, not inconsistent with the Constitution and laws of the United States and of this State; and shall have generally all the rights, powers and privileges in law incident or appertaining to corporations.

SEC. 3. The said corporation shall not go into operation until the sum of seventy-five thousand dollars is subscribed to the capital stock, twenty-five per cent. of which shall have been paid in cash, which subscription and payment shall be certified to under oath of the President and Treasurer of the said corporation, which shall be recorded in the Secretary of State's office and published in at least two newspapers in the State—one in the city of Greenville and the other in the city of Columbia; and when these requirements are complied with, the said corporation is authorized to com-

Corporators.

Corporate name.

Objects of corporation.

Capital stock.

General powers.

When may commence operations.

Certificate to be filed with Secretary of State and published.

mence operations under this Act, and to call for the payment of all subsequent assessments upon the stock subscribed, in such sums and at such times as the President and a majority of the Directors of the said corporation may determine.

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SEC. 4. That the capital stock shall be deemed personal property and transferable upon the books of the said corporation; and no part of the capital stock shall, at any time or upon any pretense whatever, be loaned or divided amongst the stockholders; neither shall the capital be withdrawn or divided amongst the stockholders until all the liabilities of the company are lawfully paid; and no dividends shall be declared except from the net earnings of the company; each stockholder shall have one vote for each share which he may own or represent at the election of President and Directors, and at all meetings of the company.

Capital stock
personal
property.

Dividends.

SEC. 5. That if the proprietor of any share shall neglect to pay the installments assessed thereon for the space of sixty days after the time appointed for the payment thereof, the Treasurer of the corporation may, by order of the President and a majority of the Directors, sell, at public auction, such number of delinquent shares as may be necessary to pay such assessment: *Provided*, That such sale be advertised for three weeks successively in some newspaper published in the city of Greenville, and a bill of sale by the President of said corporation shall transfer such shares to the purchaser and entitle him to a certificate thereof.

Sale of stock
of delinquents.

SEC. 6. That this Act shall be deemed and taken as a public Act, and shall continue in force for the term of twenty years, and until the next meeting of the General Assembly thereafter.

Approved February 13, 1874.

AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF BLACKVILLE. No. 451.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State having resided sixty days in the town of Blackville shall be deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the name of Blackville, and its corporate limits shall be held and deemed to extend one mile on lines extending at right angles to each other, from the South Carolina Railroad Depot as a central point, and respectively

Corporators.

Corporate
limits.

A. D. 1874. perpendicular to, and parallel with, the railroad avenue, forming a square area.

Officers.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the State, and shall have been residents of the said town sixty days immediately preceding their election, who shall be elected on the second Monday in October of the present year, and thereafter on the same day in each succeeding year, as hereafter provided, ten days' public notice being previously given; and that all male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided in said town for thirty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

Electors.

Election.

SEC. 3. That the election for Intendant and Wardens of the said town shall be held in the town hall, or some other convenient public place in the said town, from seven o'clock in the morning until five o'clock in the afternoon; and when the polls shall be closed, the Managers shall forthwith count the votes and proclaim the election, and give notice, in writing, to the Intendant therein being, who shall, within two days thereafter, give notice in writing, or cause the same to be given, to the persons duly elected. The Intendant and Wardens shall appoint, for the time being, three citizens as a Board of Managers to conduct the election, who, before they open the polls, shall take an oath fairly and impartially to conduct the same; and, furthermore, the Intendant and Wardens, before entering upon the duties of their respective offices, shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "As Intendant (or Warden) of the town of Blackville, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purpose for which I have been elected: So help me God." And if any person, upon permitting his name to be used as a candidate, and being elected Intendant or Warden, shall refuse to act as such, he shall forfeit and pay to the said Town Council a sum not exceeding twenty dollars. The said Intendant and Wardens shall hold their offices from the time of their qualification until the second Monday in October of the ensuing year, and until their successors shall be elected and qualified.

Oath of office.

Vacancies.

SEC. 4. That in case a vacancy shall occur in the office of Intendant or any of the Wardens by death, resignation, removal or otherwise, or in case of a tie in said election, an election to fill such vacancy shall be held, by the appointment by the Intendant and Wardens, or by the acting Intendant and Wardens or Warden, as the case may be, ten days' public notice thereof having been

previously given ; and in case of the sickness or temporary absence of the Intendant, the Wardens forming a Council shall be empowered to elect one of their number to act in his stead during such absence.

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SEC. 5. That the Intendant and Wardens duly elected and qualified shall, during their term of service, be vested with all the jurisdiction and powers of Trial Justice or other inferior Court within the limits of said town ; and the said Intendant shall and may, as often as he may deem necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, may constitute a quorum to transact business ; and they shall be known by the name of the Town Council of Blackville ; and they, and their successors, hereafter to be elected, may have a common seal, to be affixed to all ordinances ; may sue and be sued, plead and be impleaded, in any Court of law or equity in this State ; and purchase, hold, possess and enjoy, to them and their successors, in perpetuity, or for any term of years, any estate, real, personal or mixed, and sell, alien or convey the same : *Provided*, The same shall not exceed, at any one time, the sum of ten thousand dollars. And the Intendant and Wardens shall have full power to make and establish all such rules, by-laws and ordinances not conflicting with the State laws for the benefit and welfare of said town, said rules, by-laws and ordinances to be subject to revisal or repeal by the General Assembly of this State. And said Council may fix and impose fines and penalties for the violations thereof, and shall have the same powers which Trial Justices now have to compel the attendance of witnesses, and requiring them to give evidence upon the trial before them of any person for a violation of any of their rules, by-laws or ordinances ; and all such fines shall be appropriated to the public use of the corporation ; and the said Town Council is hereby empowered to collect all such fines in the manner now prescribed by law : *Provided*, No punishment shall exceed twenty-five dollars, or ten days' imprisonment.

Judicial
powers.

General
powers.

Fines.

SEC. 6. That the said Town Council shall have authority to appoint, from time to time, as they may see fit, such and so many persons, as Marshals or Constables of said town, as the said Council may deem necessary and expedient for the preservation of the peace, good order and police thereof, which person or persons so appointed shall, within the corporate limits of said town, have all the power and privileges, and be subject to all the obligations, penalties and regulations, provided by law for the office of Constable, and shall be liable to be removed at the pleasure of said Council.

Marshal-
powers and
duties.

SEC. 7. That the said Town Council of Blackville shall have power to arrest and commit to the guard house of said town for a

May arrest
and punish of-
fenders.

A. D. 1874.

space of time, before trial, not exceeding twenty-four hours, any person or persons who shall be guilty of disorderly conduct in said town, to the annoyance of the citizens thereof; and it shall be the duty of the Marshal of the town to make such arrest, and to call to his assistance the *posse comitatus*, if necessary; and upon a failure to perform such duty, he shall be fined such sum and be liable to such penalties as said Town Council may impose; and any person so summoned by the Marshal to aid in such arrest, and refusing to render any or proper assistance, shall be fined a sum not exceeding ten dollars, or be imprisoned for a period not exceeding five days.

Nuisances.

SEC. 8. That the said Town Council shall have full power to abate and remove nuisances in said town; and it shall be their duty to keep all roads, streets, alleys, ways and bridges within the corporate limits of said town open and in good repair; and for that purpose they are invested with all the powers heretofore granted to County Commissioners, and shall have power to classify and arrange the male inhabitants of said town liable to road, street and other public duty therein, and to force the performance of such duty by the imposition of a fine, not exceeding ten dollars, upon any person or persons refusing or failing, after due summons, to work such streets: *Provided*, Such person or persons shall have the privilege of compounding, in lieu of such work, by the payment of such sum as the said Council shall fix by ordinance; and all such compound money shall be applied to the keeping in repair the streets, ways and bridges in the said town, and for other public purposes: *And provided, also*, That the Intendant and Wardens of the said town shall be exempt from the performance of road and police duty, and the inhabitants of said town are hereby exempt from road and police duty without the corporate limits of said town.

Sidewalks.

SEC. 9. That the said Town Council of Blackville shall have full power and authority to require all persons owning a lot or lots in said town to make and keep in good repair sidewalks in front of said lot or lots, whenever the same shall front or adjoin any of the public streets of said town, if, in the judgment of the Council, such sidewalks shall be necessary, the width thereof, and the manner of construction, to be designated and regulated by the Town Council; and for default or refusal to make and keep in repair such sidewalks, the Town Council may cause the same to be made or put in repair, and require the owner to pay the price of making or repairing: *Provided*, That such contracts for making or repairing be let to the lowest bidder.

Control of
roads & streets.

SEC. 10. That the said Town Council shall have power, with the consent of the adjacent land owners, to close all such roads, streets and ways within the said town as they may deem necessary, by sale

of the freehold therein, either at private or public sale, as they adjudge best for the interest of the said town; and they shall have power to lay out, adopt, open and keep in repair all such new streets, roads and ways as they may, from time to time, deem necessary for the improvement and convenience of said town: *Provided*, That no new street, road or way shall be opened without first having obtained the consent of the land owner or owners through whose premises any such new street, road or way may pass.

A. D. 1874.

SEC. 11. That the Town Council of said town shall have full power to grant or refuse licenses to any person, firm, company or corporation engaged in, or intending to be engaged in, the sale of spirituous liquors, or any trade, business or profession whatsoever, within the corporate limits of said town, upon such conditions and under such circumstances as to them shall seem proper and right: *Provided*, That in no instance shall the price of a license to keep a tavern to retail spirituous liquors be fixed at a less sum than is established by the laws of this State; and all moneys paid for licenses and for fines and forfeitures for retailing spirituous liquors, keeping taverns and billiard tables, within the said limits without licenses shall be appropriated to the public uses of said town: *Provided*, That the said Town Council shall not have power to grant any licenses for over the term of one year.

Licenses.

SEC. 12. The said Town Council shall have power to impose an annual tax not exceeding fifty cents on every hundred dollars of the assessed value of all real and personal estate lying within the corporate limits of said town (property exempt by law alone excepted.) The said Town Council shall have the power to regulate the price of license upon all public shows and exhibitions in said town. The said Town Council shall have power to enforce the payment of all taxes levied under the authority of this Act against the property and persons of defaulters, to the same extent and in the same manner as is provided by law for the collection of the general State tax, except that executions to enforce the payment of the town taxes shall be issued under the seal of the corporation, and be directed to the Town Marshal or other person especially appointed by the Town Council to collect the same; and all property upon which a tax shall be levied is hereby declared and made liable for the payment thereof, in preference to all other debts against the said property, except debts due to the State, which shall first be paid.

Annual taxation.

Executions.

SEC. 13. And all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed. And this Act shall be deemed a public Act, and shall remain in force until repealed.

Approved February 13, 1874.

A. D. 1874.

No. 452.

AN ACT TO AUTHORIZE FRANCIS HAHNN TO ADOPT AND MAKE HIS LAWFUL HEIRS WILLIAM ALBERT ENLOWE AND JAMES DRAYTON ENLOWE, AND TO CHANGE THE NAMES OF THE SAID WILLIAM ALBERT ENLOWE AND JAMES DRAYTON ENLOWE TO WILLIAM ALBERT HAHNN AND JAMES DRAYTON HAHNN.

Francis Hahnn
to adopt Wm.
A. Enlowe and
James D. En-
lowe.

Names
changed.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Francis Hahnn is hereby authorized and empowered to adopt and make his lawful heirs William Albert Enlowe and James Drayton Enlowe, and that the names of the said William Albert Enlowe and James Drayton Enlowe be changed to William Albert Hahnn and James Drayton Hahnn.

SEC. 2. That should the said Francis Hahnn die intestate, the said William Albert Hahnn and James Drayton Hahnn shall inherit his estate, both real and personal.

Approved February 13, 1874.

No. 453. AN ACT TO INCORPORATE THE STATE COUNCIL OF THE FRIENDS OF TEMPERANCE OF THE STATE OF SOUTH CAROLINA.

Corporators.

Corporate
name.

Powers and
privileges.

Proviso.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John G. Blue, James F. Bragdon, Theodore F. Mallay, Rev. A. Coke Smith, Hugh R. Johnson, John O. Willson, D. Evander Gilchrist, Frederick F. Warley, John Frierson, Reverend Silas P. H. Elwell, Le-grand G. Walker, Rev. James B. Campbell, William W. Sellers, Joseph T. Walsh, Rev. William C. Power, and others, who now are, or may hereafter become, officers and members of the State Council of the Friends of Temperance, and their successors, officers and members, be, and they are hereby declared to be, a body corporate and politic, by the name and style of the State Council of the Friends of Temperance of the State of South Carolina; and that the said corporation, by its corporate name, may sue and be sued, plead and be impleaded, in the Courts of this State; and shall be enabled and empowered in law to purchase, have, hold, enjoy and possess chattels, lands, tenements, or real estate of what kind and nature whatsoever, and the same, or any part thereof, to sell, alien, grant, release, bargain or convey at their will or pleasure: *Pro-vided*, That the property so held shall not exceed the annual value

of fifty thousand dollars; and the said corporation shall have power to make and use a common seal, with power to change and alter the same as often as they shall deem necessary.

A. D. 1874.

SEC. 2. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved February 13, 1874.

AN ACT TO REQUIRE THE COUNTY COMMISSIONERS OF AIKEN COUNTY TO CONSTRUCT A BRIDGE OVER UPPER THREE RUN CREEK, IN AIKEN COUNTY. No. 454.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Aiken County be, and they are hereby, empowered and required to construct a bridge over Upper Three Run Creek, (as early as practicable,) at the termination of the road leading from Dr. Stelling's, past Jeff Green's, to said Upper Three Run Creek, said bridge to be kept in repair by the County Commissioners of Aiken.

County Commissioners to build bridge over Upper Three Run Creek.

Approved February 13, 1874.

AN ACT TO INCORPORATE THE PORT ROYAL DOCK, WAREHOUSING, TRANSPORTATION AND BANKING COMPANY. No. 455.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Peter Papin, M. R. Cooper, Alfred Williams, John W. Wallace, James Gardner, B. W. Lawton, Leroy F. Youmans, A. O. Jones, N. B. Myers, J. B. Bascomb, R. H. Gleaves, J. D. Robertson, Samuel Green, H. E. Hayne, Robert Smalls, S. J. Lee, J. Woodruff, Hastings Gantt, T. C. Dunn, J. Bodington, S. Willet, D. Epstein, and all persons who shall or may be associated with them, and their successors, be, and are hereby, created and erected into a body corporate and politic in deed and in law, by the name and title of the "Port Royal Dock, Warehousing, Transportation and Banking Company."

Corporators.

Corporate name.

SEC. 2. That said incorporators and associates shall have power to erect on any land now in their possession, or that may hereafter become possessed of as a body politic, in and abutting on Port Royal Harbor, docks, wharves, warehouses and other shipping improve-

Incorporators may erect wharves, warehouses, &c., and collect wharfage.

A. D. 1874.

ments and accommodations, for the carrying on the business of general shippers, with power to collect wharfage.

May build and run railway or tramway.

SEC. 3. That in order to facilitate the transportation of freight or merchandise to and from their docks, wharves or warehouses, the said company are authorized to build, lay and run a railway or tramway track or tracks upon their property, should it be found desirable.

May purchase and navigate steamships as common carriers.

SEC. 4. That in furtherance of this object of this company, and for the benefit and development of the agricultural and commercial interests of South Carolina, power and authority is hereby granted and given to said company to build, charter, purchase and sell, navigate and sail, steamships or sailing vessels between Port Royal Harbor and any domestic or foreign ports, as common carriers, charging customary rates of freight.

May establish and conduct a banking business.

SEC. 5. That for the purpose of more fully developing the business of said company, they shall have power to establish a banking department, of which the principal object shall be of making advances on consignments, bills of lading, bottomries and general shipping interests.

Capital stock.

SEC. 6. That the capital stock of said company shall be five hundred thousand dollars, in shares of one hundred dollars each, with power to increase to three million dollars; and that said company may proceed to build docks, wharves, warehouses, and establish other shipping and financial facilities, as soon as fifty thousand dollars shall have been subscribed to its capital stock.

When may commence operations.

SEC. 7. That the said company shall have power and authority to issue seven per cent. coupon bonds to an amount equal to their capital subscribed and paid in, the same to be redeemable at such time, not exceeding twenty years, as may be agreed upon by the said company.

May issue bonds.

General powers.

SEC. 8. That said company shall have power to enact by-laws, not repugnant with the laws of this State or of the United States; that they shall have and hold a common seal, the same to alter at pleasure; that, as a body corporate, they may sue and be sued, plead and be impleaded, defend and be defended, in any Courts of this State or of the United States of appropriate jurisdiction.

Location of principal office.

SEC. 9. That the principal office of the company shall be located at Port Royal, S. C., or wherever docks, wharves, warehouses and other improvements may be erected in said Port Royal Harbor.

SEC. 10. That this charter shall remain in effect for fifty years.

Approved February 13, 1874.

AN ACT TO INCORPORATE THE TOWN OF MAYESVILLE.

A. D. 1874.

No. 456.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State who have resided twelve months within the State and sixty days in the town of Mayesville shall be deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the name of Mayesville, and its corporate limits shall extend one-half of one mile in each direction from the depot of the Wilmington, Columbia and Augusta Railroad, in the said town.

Corporators.

Corporate limits.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and who shall have resided in the said town for sixty days immediately preceding their election, who shall be elected on the first Monday in April in every year, ten days' notice of such election being previously given; and that all the male inhabitants of the said town who have attained the age of twenty-one years, and who have resided therein sixty days previous to said election, shall be entitled to vote for said Intendant and Wardens, the election to be held from seven o'clock in the morning until six o'clock in the afternoon; and when the polls shall be closed, the Managers shall proclaim the election, and give notice thereof in writing to the persons elected; and that the Intendant and Wardens for the time being shall appoint three Managers to hold the ensuing election; that the Intendant and Wardens elect, before entering upon the duties of their offices, shall take the oath prescribed by the Constitution of the State, and also the following oath, to wit: "As Intendant (or Warden) of the town of Mayesville, I will equally and impartially, to the best of my skill and ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and to carry into effect, according to law, the purposes of my appointment: So help me God."

Officers.

Electors.

Election.

Oath of office.

SEC. 3. That in the case of a vacancy in the office of Intendant or any of the Wardens by death, resignation, removal from office or absence from the State, an election shall be held by the appointment of the Intendant or Wardens, as the case may be; and that said Intendant shall give ten days' previous notice of such election; and in case of sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of themselves to act as Intendant during the time.

Vacancies.

SEC. 4. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively,

Judicial Officers.

A. D. 1874.

be vested with all the powers of the Justices of the Peace of the State within the limits of the said town; that the Intendant shall and may, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known by the name of "The Town Council of Mayesville;" and that they and their successors in office may have a common seal, and shall have power and authority to appoint, from time to time, such and so many proper persons to act as Marshals within their jurisdiction, according to law, as they shall deem expedient and proper, which Marshals shall have all the powers, privileges and emoluments, and be subject to all duties, penalties and regulations, provided by the laws of the State for the office of Constable. And the Intendant and Wardens shall have power, under their corporate seal, to ordain and establish all such rules, by-laws and ordinances respecting the streets, ways, markets and police of said town as shall appear to them best for the preservation of the peace and welfare of the town; and the said Council shall affix fines for offenses against such by-laws and ordinances, and appropriate the same to the use of the corporation; but no fine shall exceed fifty dollars; and when fines exceed twenty dollars, they may be recovered in a Trial Justice's Court for Sumter County; and when they are of the amount of twenty dollars or under, they may be recovered before said Intendant and Wardens in Council: *Provided*, That nothing herein contained shall empower the said Council to ordain or establish any by-laws or ordinances inconsistent with or repugnant to the laws of the land; and all such by-laws and ordinances shall at all times be subject to revival or repeal by the Legislature.

Marshals.

Fines.

Proviso.

Nuisances.

SEC. 5. That the said Intendant and Wardens shall have power to abate and remove nuisances within the said limits; and in case of disorderly behavior, the Intendant and Wardens, or any one of them, upon view thereof, or upon complaint lodged on oath, are hereby required and authorized to issue warrants against all offenders, and cause them to be brought before him or them or a Trial Justice of the County, and, upon due examination, shall either release, admit to bail (if the offense be bailable) or commit to jail such offenders, as the case may require; and the Sheriff of Sumter County is hereby required to receive and keep persons so committed until discharged by due course of law; and that the said Intendant and Wardens shall, collectively and severally, have jurisdiction within the said corporate limits in all criminal cases as Trial Justices have according to law.

Roads and streets.

SEC. 6. That it shall be the duty of the said Intendant and Wardens to keep all roads, streets and alleys within the said limits

open and in good repair, and for that purpose they are invested with all the powers granted by law to the County Commissioners; and for neglect of duty, they shall be liable to the penalties imposed by law upon County Commissioners for like neglect.

A. D. 1874.

SEC. 7. That for any willful violation or neglect of duty, malpractice, abuse or oppression, the said Intendant and Wardens, jointly and severally, shall be liable to indictment in the Court of General Sessions, and, upon conviction, to punishment, besides being liable for damages to any person or persons injured: *Provided*, That such fine shall not exceed the sum of one hundred dollars.

Penalty for violation or neglect of duty.

Approved February 13, 1874.

AN ACT TO RENEW THE CHARTER OF THE CHARLESTON FLOAT- No. 457.
ING DRY DOCK AND MARINE RAILWAY COMPANY.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act of the said General Assembly of this State entitled "An Act to incorporate the Charleston Dry Dock and Marine Railway Company," passed and ratified the 16th day of December, in the year of our Lord 1851, be, and the same is hereby, renewed and extended for the term of ten years from the ratification and approval of this Act.

Charleston
Dry Dock and
Marine Rail-
way Company,
charter renew-
ed.

Approved February 13, 1874.

AN ACT TO INCORPORATE THE TOWN OF SCRANTON, IN THE No. 458.
COUNTY OF WILLIAMSBURG.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the passage of this Act, all citizens of the State who may reside in what has been known as the village of Leesville, in the County of Williamsburg, and their successors, are hereby declared to be members of the corporation hereby intended to be created.

Corporators.

SEC. 2. That the said persons and their successors shall be a body politic and corporate, which shall be known and called by the name of the town of Scranton, and the corporate limits thereof shall extend one-half mile in each direction from the depot of the Northeastern Railroad, in said town.

Corporate name.

Corporate limits.

A. D. 1874.

Invested with
powers and
privileges con-
ferred on vil-
lage of Kings-
tree.

SEC. 3. That the said corporation shall enjoy all the powers and privileges conferred, and be liable to all the restrictions imposed, by an Act entitled "An Act to alter and amend an Act entitled 'An Act to incorporate the village of Kingstree,'" approved March 26, A. D. 1869.

Officers.

Election.

Managers.

SEC. 4. That said town shall be governed by an Intendant and four Wardens, who shall, at the time of their election, be members of the said corporation, and shall be elected on the first Monday in April in each year, five days' public notice thereof being previously given; and all members of said corporation shall be entitled to vote at any and all elections for Intendant and Wardens of the town of Scranton: *Provided*, That the first election to be held under this Act shall be conducted by a Board of three Managers of Election, to consist of S. D. M. Bird, W. S. Lee and W. J. M. Lee, who shall conduct the same and declare the result, giving notice, in writing, to the persons so elected as Intendant and Wardens.

SEC. 5. This Act shall be taken and deemed a public Act, and shall remain in force until repealed.

Approved February 13, 1874.

No. 459. AN ACT TO AUTHORIZE WILLIAM KRESSEL TO BUILD A DOCK AND COLLECT WHARFAGE IN THE TOWN OF BEAUFORT.

Wm. Kressel
empowered to
build dock and
collect wharf-
age.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William Kressel be, and is hereby, authorized to build a dock to deep water in front of the property owned by him in the town of Beaufort, to collect wharfage on the same, and to use, sell or lease said dock for his own benefit, subject to any laws now existing or hereafter to be made in relation to such property.

Approved February 13, 1874.

No. 460. AN ACT TO RENEW AND AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE HOME INSURANCE COMPANY, OF CHARLESTON."

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act of the General Assembly of the said State entitled "An Act to incorporate the

Home Insurance Company, of Charleston," be, and the same, is hereby, revived, renewed and extended from the passage hereof, with the following alterations and amendments, viz: Section 5: Strike out the words "one year," and insert in lieu thereof the words "two years;" Section 8: After the word "*respondentia*," add the words "or other securities;" Section 14: Strike out the words "one year," and insert in lieu thereof the words "two years."

A. D. 1874.

Home Insurance Company, charter renewed and extended.

"Two years" inserted in lieu of "one year."

Approved February 13, 1874.

AN ACT TO RE-CHARTER SWANZEY'S FERRY.

No. 461.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the ferry known as Swanzey's Ferry, across the Saluda River, be, and is hereby, re-chartered, and vested in Thomas Stewart, his heirs and assigns, the usual rates of toll to be charged for crossing said ferry: *Provided*, That school teachers and school children going to and returning from school, ministers of the gospel going to and returning from divine worship, be allowed to pass free.

Swanzy's Ferry re-chartered and vested in Thomas Stewart.

SEC. 2. That this Act shall be deemed a public Act, and remain in force until repealed.

Approved February 19, 1874.

AN ACT TO ESTABLISH CERTAIN STATE SCHOLARSHIPS IN THE UNIVERSITY OF SOUTH CAROLINA. No. 462.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of extending the benefits of a higher education to the citizens of this State, there shall be, and there are hereby, established in the University of South Carolina permanent quadrennial State scholarships, which shall be apportioned among the several Counties of this State according to the number of Representatives from the said Counties in the General Assembly, each scholar to receive two hundred dollars per annum: *Provided*, That each County shall send but one scholar for the fiscal year after the passage of this Act; and annually thereafter, on the first Monday in June, the State Board of Examiners shall so apportion the number of scholarships to each

State scholarships established.

How apportioned.

Scholars to receive two hundred dollars each.

Proviso. State Board of Examiners to apportion scholarships.

A. D. 1874.

Number of pupils not to exceed one hundred and twenty-four.

County as will at the expiration of four years complete the number to which each County may be entitled, and notify the County Board of Examiners of the respective Counties of each annual apportionment: *Provided*, That the whole number of pupils at the expiration of four years shall not be less than one hundred and twenty-four: *Provided, further*, That as often as a vacancy occurs from graduation or otherwise, the County credited with the vacancy shall be notified thereof and fill the same.

Public competitive examinations.

How to be conducted.

County Board of Examiners to issue certificates of proficiency.

State Board to select scholar passing best examination.

Vacancies—how filled.

SEC. 2. That to the end that the advantages and benefits accruing from the State scholarships provided for in the first Section of this Act may be bestowed upon suitable and deserving persons, the County Board of Examiners of each of the several Counties in the State, having been notified of the number of scholarships to which their respective Counties are entitled, are hereby authorized and required to hold, annually, on the first Monday in July, at the County seat of their County, a free public competitive examination, except the first examination, which shall be held within thirty days after the passage of this Act, such examination to be conducted in such a manner, and according to such rules and regulations, as shall be prescribed by the State Superintendent of Education. The said County Board of Examiners shall send three candidates for every scholarship their respective Counties may be entitled to for a final examination before the State Board of Examiners, and shall give to each of the candidates exhibiting the greatest proficiency in all the branches of study required for the admission of students into the University a certificate to the effect that said candidate passed the best examination before them of all those competing, is entitled to appear before the State Board of Examiners hereinafter created for final examination for appointment to a State scholarship in the University. The State Board of Examiners shall select from every three scholars so recommended by the said County Board of Examiners the one who shall pass the best examination before them for the scholarship of his respective County; and the State Board of Examiners shall notify the County Board of Examiners of any vacancy that may occur by reason of death, resignation or otherwise, and said vacancy shall be filled in the same manner as a vacancy by graduation is filled. Should any County in the State, from any cause, fail to forward applicants for the scholarships to which said County may be entitled, the State Board of Examiners is hereby authorized to fill such from any applicants found duly qualified who may appear before them: *Provided, however*, That nothing herein contained shall prevent the State Board of Examiners from examining any person or persons who may appear before them for examination from any County in which no examinations

shall have been held by the County Board of Examiners under the provisions of this Act. A. D. 1874.

SEC. 3. The State Board of Examiners shall consist of the Faculty of the University and the State Superintendent of Education, the said Superintendent to be *ex officio* Chairman of said Board. State Board, of whom to consist.

SEC. 4. For the purpose of carrying out the provisions of this Act, there shall be, and there is hereby, appropriated for the fiscal year beginning November 1st, 1873, the sum of six thousand four hundred dollars, (\$6,400,) and there shall be annually appropriated a sufficient sum of money for the maintenance of the scholarships hereinbefore provided for. Appropriation for maintenance of scholarship.

SEC. 5. Said appropriation shall be paid to the several pupils in ten monthly installments of twenty dollars each by the State Treasurer, upon the order of the Board of Trustees of the University. Appropriation payable in installments.

SEC. 6. That the State Treasurer be, and he is hereby, authorized and required to keep separate and apart from all other funds the amount of money appropriated each year by the General Assembly for the purposes hereinbefore mentioned, and any diversion of the money thus appropriated to any other purpose than that prescribed in this Act shall be deemed a felony, and punishable accordingly. State Treasurer to keep appropriation separate.

SEC. 7. That any person who shall be entitled under the provisions of this Act to a scholarship may, upon entering the said University, pay to the State Treasurer the sum of ten dollars; and upon such payment being made, a contract shall arise between the State on the one part and the person paying the said sum on the other part, whereby the State shall be bound to provide annually for four years for the support of the said scholar as herein provided, and the person holding said scholarship shall be bound to fill said scholarship, and faithfully to use and improve its advantages, and said contract shall at all times be enforceable by either party in the Courts of the State. Person entitled to scholarship may make contract with State.

SEC. 9. This Act shall take effect from and after its passage.

Approved February 20, 1874.

AN ACT TO PROVIDE FOR GRANTING OF CERTAIN CHARTERS. No. 463.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, charters for churches, cemeteries, fire, hook and ladder, and military companies, Free Masons, Odd Fellows and Knights of Pythias Lodges, charitable and religious institutions Clerk of Court to grant certain charters.

A. D. 1874.

Applications,
how to be
made.When may be
refused.Judge to give
final decision.Applications
for charters to
be published.No applica-
tion to be in-
troduced in
General As-
sembly without
notice by pub-
lication.Class 1—La-
bor, agricultu-
ral associa-
tions, &c.Form of char-
ter.

or societies, labor, agricultural, manufacturing, industrial or other like societies and companies, shall be granted by the Clerk of the Court of the County wherein they reside, or propose to carry on business, or hold property. Any persons desiring to obtain a charter, as provided in this Act, shall make application for the same to the Clerk of the Court, and if, within ten days, fifty persons of the County, who may be affected or interested by the granting of the same, shall, in writing, object to the granting of such charter, the Clerk of the Court shall refuse to grant the same, provided he considers the objections sufficient grounds for refusal, until the matter shall have been submitted to the Judge of the Circuit, whose duty it shall be to decide either for or against granting the charter, as shall in his judgment be deemed best, and to render such decision within ten days after the case shall have been submitted to him. If the Judge refuses to grant the charter, then the persons desiring such charter may apply to the General Assembly for the same. If no objection, in writing, be made, the Clerk of the Court shall grant such charter, in the following manner: *Provided*, That thirty days' public notice be given by the parties applying for a charter under the provisions of this Act, by publishing notice of the same in one of the papers of the County where the same may be granted; and, hereafter, all associations or societies named in this Act shall, before applying to the General Assembly, give ninety days' public notice, in like manner, before their application can be introduced or considered.

SEC. 2. *Class I*—All labor, agricultural, manufacturing, industrial, mining, or companies or associations of like nature, shall be incorporated as follows: When a majority of the members of any such company or association shall petition to the Clerk of the Court of the County wherein such association or company may be located, asking for a charter, the Clerk of the Court shall grant and issue to such persons the charter asked for, if no objection be made, as provided for in Section 1 of this Act. The charter shall read as follows:

"Know all men that, in accordance with an Act entitled 'An Act to provide for granting of certain charters,' approved the twentieth day of February, A. D. 1874, that, on the _____ day of _____, A. D. 187____, a majority of the members (or stockholders, as the case may be,) of the _____, having, by petition, applied for a charter for the said _____; therefore, know all men by these presents, that _____, citizens of the State of _____, together with such other persons as now are, or may hereafter be, associated with them, and

A. D. 1874.

their successors, be, and they are hereby made and created, a body politic and corporate, under the name and style of the

; and, by said name, they are hereby made capable in law to carry on and conduct the business of

, and to exercise all the powers suitable and proper for that purpose, and to hold, purchase, receive, work, sell, mortgage, lease, enjoy and retain to them, their successors and assigns, lands, tenements, goods and chattels, of whatsoever kind, as may be deemed by them conducive to the objects and interests of said corporation. The said corporation, by its corporate name, may sue and be sued, plead and be impleaded, in any Court of this State; make and use a common seal, and alter the same at will and pleasure; make, alter and amend such by-laws and regulations as shall be deemed proper by them, not repugnant to the laws of the land. The capital stock of said shall not, at any time, exceed the sum of dollars, nor be less than dollars; the stock to be paid for either in money, real estate, leases or machinery; and said stock shall be divided into as many shares as said corporation may determine; and may be made assignable and negotiable, under such rules as may be prescribed by the by-laws of the said corporation. The meetings of the stockholders may be regulated by the by-laws of the said corporation, with the power to elect such officers as may be deemed necessary for the purpose of conducting the business of the same.

SEC. 3. *Class II*—When ten or more members of any church shall petition to the Clerk of the Court of the County wherein such church may be located, or is to be erected, asking to be incorporated, the Clerk of the Court shall grant and issue the same in the following form:

Class 2—
Churches.

“ Know all men by these presents, that, in accordance with an Act entitled ‘An Act to provide for granting of certain charters,’ approved the twentieth day of February, 1874, and on petition asking for a charter, that , and their associates and successors, members of the

Form of charter.

church, are hereby constituted and declared a body politic and corporate, under the name and style of the

church, of County. Said corporation shall have power to purchase and hold real estate or personal property, not exceeding in value the sum of dollars; and to sell and convey or dispose of the same in any manner whatsoever; and, by its corporate name, to sue and be sued in any of the Courts of the State, and to make such rules and by-laws, not repugnant to the laws of

A. D. 1874.

Class 3—
Charitable and
Religious In-
stitutions.

the land, as may be deemed necessary; to make, use and keep a common seal, and the same at will to alter.”

SEC. 4. *Class III*—Charitable and religious institutions and societies, and all other societies of a like nature, including Free Masons, Odd Fellows and Knights of Pythias Lodges, and temperance societies and social and debating clubs, shall be incorporated, when a majority of the officers and members of the same shall petition the Clerk of the Court, asking for such charter, in the following form:

Form of charter.

“This is to certify that, on petition of a majority of the officers and members of

association, (or lodge, or society, as the case may be,) praying for a charter in pursuance of an Act entitled ‘An Act to provide for granting of certain charters,’ approved the twentieth day of February, A. D. 1874; therefore, know all men by these presents,

and their associates

and successors in office, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the

, of the County of

State of South Carolina, and by their corporate name may sue and be sued, plead and be impleaded, in any Courts of this State; to have, use and keep a common seal, and the same at will to alter; to contract and be contracted with, buy, sell, acquire, hold and enjoy so much real estate as may be necessary for furnishing offices and for carrying on the business of the same, with power to lease, rent or convey the same, subject to such rules and by-laws of the society (or association); may, also, adopt such by-laws and regulations as may be deemed proper, the same not repugnant to the laws of the land; and shall have power to receive any gift, grant, contract, devise or other donation, either by will, subscription or otherwise, of real estate or personal property, and may sell the same, provided the amount received from such sale be re-invested in securities for the benefit of the society.”

Class 4—
Military and
Fire Compa-
nies.

SEC. 5. *Class IV*—Military organizations, fire, hook and ladder companies, shall be incorporated when a majority of the members shall petition the Clerk of the Court for such charter; a charter shall be issued by the said Clerk in the following form:

Form of charter.

“Know all men, that, in accordance with an Act entitled ‘An Act to provide for granting of certain charters,’ approved the twentieth day of February, A. D. 1874, that on petition of

that the

and the several persons who now

are, or may hereafter become members of the

and their associates and successors in office, be, and they are hereby

declared to be, a body politic and corporate, under the name and style of the _____ of _____ County, and that the said corporation may, by its corporate name, sue and be sued, plead and be impleaded, in any of the Courts of this State, and shall be able and empowered to purchase, have, hold, enjoy and possess any goods, chattels, lands, tenements, or real estate of whatsoever kind or nature which shall be purchased, bequeathed or in any manner acquired by them, and the same, or any part thereof, may alien, sell or convey at their will and pleasure: *Provided, however,* That the property so held shall not at any one time exceed the sum of twenty thousand dollars; and the said corporation shall have power to make, keep and use a common seal, and the same at will to alter, and shall have all the rights and privileges that now are or may hereafter be given by law to corporations of like nature in this State."

A. D. 1874.

SEC. 6. Universities, academies and other institutions of learning may be incorporated by petition to the Clerk of the Court of the County wherein the same may be situated, signed by a majority of the Trustees or Board of Control of the same, and the said Clerk shall issue and grant the following charter:

"Know all men by these presents, That on petition of _____ in accordance with an Act entitled 'An Act to provide for granting of certain charters,' approved the twentieth day of February, A. D. 1874, That

Form of charter for Universities, Academies, &c.

_____ and the several persons who now are or may hereafter become Trustees of the _____ and their associates and successors in office, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Trustees of the _____ of _____ County, for the purpose of organizing, governing and conducting a _____ in the County of _____ in the State of South Carolina. Said corporation may, by their corporate name, sue and be sued, plead and be impleaded, use and keep a common seal, and make such rules and by-laws as they may deem necessary and proper for the regulation, government and conduct of said

: *Provided,* Such by-laws and rules are not repugnant to the laws of the land. The said Trustees may appoint such officers as they may think necessary and proper for the organization and government of their own body. And should any vacancy occur in the Board of Trustees, by death, resignation or otherwise, the said Board shall have power to fill said vacancy. The said Board of Trustees and their successors shall

A. D. 1874.

have and hold all the estate, property and funds now belonging to said and all property, funds, money, donations, legacies and devises which may hereafter be granted, conveyed, bequeathed, devised or given to said in trust, nevertheless, for the use and benefit of said The President shall have power and authority to confer and award such distinction, honors, licenses and degrees as are usually conferred by similar of the United States."

Charters for
Jockey Clubs,
&c.

SEC. 7. Jockey, yacht, sporting, shooting, game or other clubs of similar nature, may be incorporated as is provided for military organizations by this Act, the amount of property not to exceed the sum of fifty thousand dollars. The corporators shall be made jointly and separately liable for all debts incurred by such corporation, or agencies of the same.

Secretary of
State to furnish
blanks.

SEC. 8. That for the purpose of carrying out the provisions of this Act, the Secretary of State shall furnish blanks to the Clerks of Court in the various Counties, the blanks to be printed in accordance with the provisions of this Act, and setting forth the privileges granted such corporations, leaving sufficient space on the same to insert names, places, capital stock and name of corporation. Said blanks shall be of good paper, and not less than eighteen inches long, by fourteen inches wide.

What to con-
tain.

Clerk of Court
to make out
charter and file
duplicate in his
office.

SEC. 9. When any person shall apply for a charter, as provided for by the provisions of this Act, the Clerk of the Court shall cause the same to be filled out, signed by him, and sealed with the seal of the Court: *Provided*, No objections are made, as specified in Section 1 of this Act. Said Clerk shall also make a duplicate of the said charter, and file the same in his office. The Clerk shall receive a fee of three dollars for each and every charter so granted, to be paid by the corporators, except for churches, the fee for which shall be one dollar; and in case any charter be granted by the General Assembly, the incorporators shall pay five dollars to the Secretary of State for each and every certificate of incorporation signed and sealed by him. All companies, societies or associations that are now incorporated shall be entitled to be re-chartered under the provisions of this Act.

Fees for grant-
ing charters.

Approved February 20, 1874.

NO. 464. AN ACT TO CHARTER THE AMERICAN EXCHANGE AND SAVINGS BANK, OF CHARLESTON, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

General Assembly, and by the authority of the same, That the American Exchange and Savings Bank of Charleston, S. C., is hereby incorporated, to be located at Charleston, and have its principal office there; said corporation shall be organized and possess such powers and privileges as hereinafter mentioned, viz.: That the said corporation shall have succession, and shall be, and is hereby, made capable in law to purchase, have, enjoy and retain, to it and its successors, lands, tenements, rents, goods, chattels and effects, of whatever kind, nature or quality soever, and the same to sell, alien or dispose of as may seem to them discreet and proper; to sue and be sued, to defend and be defended, in any Court or place whatsoever; to make, have and use a common seal, which they may alter or renew at pleasure, and also to provide and put in execution such by-laws and regulations as they may deem requisite for the well ordering and prosperity of the said corporation.

A. D. 1874.

American Ex-
change and
Savings Bank
incorporated.
Where located.

General pow-
ers.

SEC. 2. The capital stock of this corporation or company shall be \$20,000 in shares of \$50 each, but which stock may be increased from time to time to \$500,000, in such manner as the Board of Directors may provide, or as the by-laws shall ordain.

Capital stock.

SEC. 3. The company is hereby authorized to do a general banking business, and to this end is empowered to invest its capital or other funds in bank or other stock, or bonds, &c., of the United States, or in bonds of the respective States, or in such other securities as it may deem prudent, to loan money on real or personal security, to discount and deal in notes, bonds, bills of exchange or other evidences of debt, and upon such terms as the Board of Directors may establish, or as may be agreed upon between the parties.

May conduct
general bank-
ing business.

SEC. 4. The company is hereby authorized to receive moneys in trust or on deposit for loan, investment, &c., and may allow such interest therefor, and payable in dividends, or other forms of disbursement, and at such times as may be agreed upon, or as the by-laws shall prescribe. The company is also authorized to accept and execute all such trusts, of every description, as may be committed to it by any person or persons whomsoever, or by any corporation, or that may be confided to it by order of any Court. And it is furthermore authorized to take and accept, by grant, assignment, transfer, devise, or bequest, and hold, any real or personal estate in trust, created in accordance with the laws of this State, and may execute such legal trusts on terms that may be established, and that may be agreed upon by the parties.

May receive
deposits and
invest the
same.

May accept
and execute
trusts.

May hold and
dispose of trust
estates.

SEC. 5. The corporate powers of this company shall be vested in a Board of seven Directors, who shall be elected by the subscribers to

Board of Di-
rectors—pow-
ers and duties.

A. D. 1874.

the capital stock from their own number, as prescribed in Article X, and annually thereafter, which Board shall appoint one of its own number President, and may fill temporary vacancies in their own body. The Board shall also appoint necessary sub-officers and agents to serve during its pleasure, and shall prescribe their duties and compensation, and shall require such bonds and securities as they may deem proper.

Payment of installments on shares.

SEC. 6. Each subscriber to stock in the company shall, at such time as may be designated by the Board of Directors after its organization, pay ten dollars per share upon the stock standing in his or her name; and on the first Monday of each calendar month thereafter, shall also pay such sum as the Board of Directors shall determine, not to exceed five dollars per share upon the stock, until the par value of fifty dollars per share shall have been paid in.

Stock of delinquents to be sold.

SEC. 7. If an installment called for by the Board shall not be paid within ten days of the time designated, the stock of the delinquent may, at the discretion of the Board, be sold at public auction, and the proceeds thereof shall be paid to said delinquent after deducting therefrom all expenses accruing from the sale, and after the *pro rata* amount of the current expenses of the company and the *pro rata* amount of its losses shall have been ascertained and paid: *Provided*, That parties whose subscription shall have reached the value of one or more shares may be allowed the privilege of having certificates of stock issued for the amounts so paid in, and the surplus, if any, refunded.

Issue of certificates of stock authorized.

SEC. 8. When fifty dollars, or the par value of stock, shall have been reached by payment of installments, or otherwise, scrip or certificates of stock shall be issued to the stockholders for the number of shares standing in their names respectively, signed by the President and Cashier, and bearing the seal of the company.

May establish branch offices.

SEC. 9. The company is authorized to establish branch offices at such points in this State as it may determine, in which event the transactions conducted thereat shall be regarded as a part of the general business of the company, and shall be reported to the office at Charleston as often as the Board may require.

Commissioners.

SEC. 10. That Albert O. Jones and Josephus Woodruff are appointed Commissioners, who, by themselves, or by an agent appointed by them in writing, are authorized to receive subscriptions to the capital stock of this corporation, and when a majority of the shares shall have been taken the said Commissioners shall, at the earliest time advisable, after the ratification of this Act, appoint a day of meeting in the city of Charleston for the purpose of organizing the company, of which due notice shall be given to the subscribers by said Commissioners at least five days prior to the day of meeting.

Meeting and organization.

At said meeting, or at some adjournment thereof called for the purpose of organization, the organization shall be effected substantially as follows, viz.: 1st. By the adoption of a resolution accepting this charter; 2d. By adopting by-laws for the government of the officers, &c., of the corporation, and by electing a Board of Directors. Should any irregularities occur in effecting said organization, the stockholders may correct the same at any meeting called for the purpose, due notice as above to be given of the same.

A. D. 1874.

Organization —
how effected.

SEC. 11. That the stockholders in this body shall be liable to the amount of their respective shares of stock for the debts and liabilities of said corporation.

Liability of
stockholders.

SEC. 12. This Act shall be deemed a public Act, and shall take effect and be of full force immediately after its passage, and shall continue in force thirty years.

Approved February 20, 1874.

AN ACT TO PROVIDE FOR THE PAYMENT OF PAST DUE SCHOOL No. 465.
CLAIMS IN THE SEVERAL COUNTIES OF THIS STATE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Commissioners of the several Counties of this State shall proceed forthwith, upon the passage of this Act, to report to the County Treasurers of their respective Counties the number and amount of past due school claims up to the first day of November, 1873, remaining unpaid in their respective Counties: *Provided*, That all school claims issued prior to the first day of November, 1872, shall be first paid, as prescribed in this Act.

School Commissioners to notify County Treasurer of amount of outstanding past due school claims to November, 1873.

School claims issued prior to November, 1872, to be first paid.

SEC. 2. The County Treasurers of the several Counties of the State, upon receiving such reports, shall devote the poll tax collected in their respective Counties to the payment of the claims so reported, and also whatever surplus may remain of the fund raised for the support of the widows and orphans of those killed on account of their political opinion in those Counties where such levy has been made; and should the amount of poll tax collected in any County in the first year after the passage of this Act be insufficient to pay the whole of said claims, then the County Treasurer of such County shall pay out the same *pro rata*, and continue the same from year to year until the whole amount of such claims shall have been paid, endorsing each partial payment on each claim, and the party receiving such partial payment shall receipt to such Treasurer for

County Treasurer to pay said claims *pro rata* out of poll tax, etc., each year, until paid in full.

Partial payments to be endorsed on claims, and receipt therefor taken.

A. D. 1874.

each partial payment, the said receipt to be kept and filed by such Treasurer as his voucher.

SEC. 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved March 3, 1874.

No. 466. AN ACT TO INCORPORATE THE PEOPLE'S BUILDING AND LOAN ASSOCIATION, OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Charles P. Aimar, Richard E. Jacques, Josephus Woodruff, Moses Israel, Alexander Melchers, George S. Buist, Julius L. Moses, J. U. Thule, C. E. Jackson, W. H. Jones and B. Hunter, together with such other persons who now are, or hereafter may be, associated with them, be, and they are hereby declared, a body politic and corporate, for the purpose of making loans of money, secured by mortgage on real estate or personal property, or by conveyance of the same to their members and stockholders, by the name and style of the Peoples' Building and Loan Association, the capital stock of which shall consist of two thousand shares, to be paid by successive monthly installments of one dollar on each share, as long as the corporation shall continue, the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for default in their payments, according to such regulations as may be prescribed by the by-laws of said corporation.

Corporate
name.

Capital stock.

General pow-
ers.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; shall have such members and succession of members and officers as shall be ordained and chosen according to their said rules and by-laws, made or to be made by them; shall have and keep a common seal, and may alter the same at will; may sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies according to the laws of the land.

May hold and
convey real es-
tate.

SEC. 3. That the said corporation shall have power to take, purchase and hold real estate, and to sell and transfer the same, from time to time, to its members, on such terms and under such conditions and subject to such regulations as may be prescribed by the rules and by-laws of said corporation: *Provided*, That the real es-

tate held by said corporation shall not at any time exceed the value of (\$200,000) two hundred thousand dollars.

A. D. 1874.

SEC. 4. That the funds of said corporation shall be loaned and advanced to the members and stockholders upon the security of real and personal estate, and used in the purchase of real estate for the benefit of its members and stockholders, on such terms and under such conditions and subject to such regulations as may, from time to time, be prescribed by the rules and by-laws of said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them, in good faith, by way of security upon its loans and advances, and may sell, alien or otherwise dispose of the same, to its members and stockholders only, as they, from time to time, may deem expedient.

Investment
of funds.

SEC. 5. That whenever it shall occur that the funds of the said corporation shall remain unproductive and uncalled for for the space of two months, the corporation shall have power to loan whatever amount may be thus on hand to others than stockholders and members, for such time and at such rates of interest as may be established by virtue of such rules and by-laws as may be made by said corporation.

When may
loan out mon-
eys on hand.

SEC. 6. That whenever the funds of said corporation shall have accumulated to such an amount that, upon a fair and just division thereof, each stockholder and member shall have received, or be entitled to receive, the sum of (\$200) two hundred dollars, or property of that value, for each and every share of stock by him or her so held, and such distribution and division of the funds shall have been so made, then this corporation shall cease and determine. This Act shall be deemed a public Act, and the same may be given in evidence without specially pleading the same: *Provided*, That said corporation shall have all the rights, and be subject to all the liabilities, provided in the Act to regulate the formation of corporations, passed December 10, 1870.

Division and
distribution of
assets.

Subject to pro-
visions of cer-
tain Act.

Approved March 3, 1874.

AN ACT TO AUTHORIZE AND EMPOWER F. D. GREEN TO ERECT AND MAINTAIN GATES ACROSS CERTAIN ROADS IN LANCASTER COUNTY. No. 467.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That F. D. Green be, and he is hereby, authorized and empowered to erect and maintain gates

F. D. Green to
erect gates
across Dry
Creek and Lib-
erty Hill
Roads.

A. D. 1874.

across certain roads in Lancaster County, known as the Dry Creek and Liberty Hill Roads: *Provided*, That said gates shall always be kept in good repair and constructed in such manner as will afford the least trouble in passing the same.

Approved March 3, 1874.

No. 468. AN ACT TO INCORPORATE THE RISING SONS OF BENEVOLENCE, OF EDGEFIELD COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That N. P. Butler, Henry Smith, Sr., Walter Guignyard, Henry Rayford, Jr., Isom Rayford, William Rayford, H. H. Bonier, Henry Rayford, Sr., M. H. Harrison, Seymour Butler, Alec Rayford, and Mingo Peterson, by the name and style of the Rising Sons of Benevolence, of Edgefield County, and their successors and associates, be, and they are respectively, incorporated and made and declared a body politic and corporate, in deed and in law, and as such body politic shall have a common seal, and the same at will to alter, to make all necessary by-laws not repugnant to the laws of the land, and to have succession of officers and members, conformable to such by-laws, to sue and be sued in every Court of this State, and to have, use and enjoy all other rights, and be subject to all other liabilities, incident to bodies corporate: *Provided, always, nevertheless*, That the capital stock of said company shall not exceed the sum of twenty-five thousand (25,000) dollars.

SEC. 2. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved March 3, 1874.

No. 469. AN ACT TO ADMIT EDWARD B. MURRAY, A MINOR, OF ANDERSON COUNTY, TO PRACTICE LAW IN THE COURTS OF THIS STATE.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Edward B. Murray, a resident of Anderson County, under the age of twenty-one years, having been examined according to the rules of Court, and adjudged to possess the legal and moral qualifications requisite to practice

Edward B. Murray admitted to practice law.

law, be, and he is hereby, admitted to all the privileges granted by Section 2 (page 502) of the Revised Statutes of South Carolina to persons applying for permission to practice as attorneys at law.

A. D. 1874.

Approved March 3, 1874.

AN ACT TO REPEAL AN ACT TO PROVIDE FOR THE ISSUE OF BILLS RECEIVABLE IN PAYMENT OF INDEBTEDNESS TO THE STATE TO THE AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS. No. 470.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to provide for the issue of bills receivable in payment of indebtedness to the State to the amount of five hundred thousand dollars," approved December 21, 1865, be, and the same is hereby, repealed.

Authority to
issue bills re-
ceivable re-
voked.

Approved March 3, 1874.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO VEST IN ISAAC G. LONG THE CHARTER OF A WATER COURSE THROUGH KINGSTON LAKE AND MAPLE SWAMP, IN HORRY COUNTY." No. 471.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act entitled "An Act to vest in Isaac G. Long the charter of a water course through Kingston Lake and Maple Swamp, in Horry County," approved March 26, 1869, be, and the same is hereby, repealed.

Act vesting
in Isaac G.
Long charter
of a certain
water course
repealed.

Approved March 3, 1874.

AN ACT TO AUTHORIZE AND EMPOWER CERTAIN COUNTIES TO ISSUE BONDS IN SUBSCRIPTION FOR PREFERRED STOCK OF THE LITTLE RIVER AND CHERAW RAILROAD COMPANY. No. 472.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the several Counties of this State through which the Little River and Cheraw Railroad Company are authorized to construct a railroad, or any

Certain
Counties may
issue bonds for
preferred stock
of Little River
and Cheraw
Railroad Com-
pany.

A. D. 1874.

branch thereof, be, and are hereby, authorized and empowered to issue bonds in subscription for preferred stock of the said company, subject to the conditions and provisions hereinafter mentioned.

County Commissioners to order election to decide upon such issue.

SEC. 2. The Board of County Commissioners of each of the said Counties shall, within sixty days after receiving a written request to that effect from the proper officers of the said company, endorsed or approved by at least one hundred legal voters of the County, order and provide for the holding of an election, by the legal voters of the County, to decide whether such subscription shall be made; the amount of such subscription not to exceed five per cent. on the assessed value of the real and personal property in the County, and to be made in bonds of the County, bearing interest at the rate of six per cent. per annum, and payable in thirty years after date.

Amount of subscription limited.

Manner of voting.

The voting shall be by ballot, which shall be either written or printed, or partly written and partly printed, and shall contain either the words "Subscription for preferred stock of the Little River and Cheraw Railroad Company—Yes," or the words "Subscription for preferred stock of the Little River and Cheraw Railroad Company—No." The election shall be conducted, and the Managers shall make the returns, in the same manner as is now provided by law for general elections. The Commissioners of Election shall, within ten days after the time of holding the same, forward to the Board of County Commissioners a return setting forth the entire number of votes cast thereat, and also the number of votes cast, respectively, for and against making such subscription.

Returns of election.

If a majority vote in favor, bonds to be issued.

SEC. 3. If a majority of the entire number of votes cast at the election shall be in favor of making such subscription, the Board of County Commissioners shall, immediately, cause such bonds to be printed or engraved, and sign the same, and, also, have the same countersigned by their Clerk and sealed with their seal; the said bonds shall then be numbered and registered in the office of the Clerk of the County.

Registry of bonds.

Railroad Company to give bond to secure payment of interest.

SEC. 4. When the said company shall actually commence the construction of a railroad within the County, and shall deposit with the County Treasurer of the County a bond of the said company, executed in such a form as shall be approved by the Judge of the Circuit, in a sum sufficient to secure the payment of the interest on the said bonds until the said railroad shall be completed in the County, the Board of County Commissioners shall deliver the said bonds to the said company, and publish the fact of such delivery in the official paper of the County. On the completion of the said railroad in the County the Board of County Commissioners shall receive from the said company an amount of pre-

When bonds may be delivered in exchange for preferred stock.

ferred stock of the said company equal to the amount of the said bonds, which preferred stock shall bear interest at the rate of seven per cent. per annum.

A. D. 1874.

SEC. 5. The Board of County Commissioners shall invest the additional one per cent. received from the said preferred stock in securities whereby the same shall draw interest semi-annually; and shall also invest the interest received for the same until an amount shall have accumulated therefrom sufficient to pay the said bonds, when the said bonds shall be paid and cancelled.

Investment
of additional
one per cent.

SEC. 6. All moneys received as interest on the said preferred stock shall be held by the County Treasurer and paid out on the order of the Board of County Commissioners.

Treasurer to
hold interest
subject to order
of County
Commissioners

Approved March 3, 1874.

AN ACT TO INCORPORATE THE PEOPLE'S ACCOMMODATION RAILROAD COMPANY. No. 473.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That O. H. P. Fant, R. F. Divver, James J. Gilmer, F. E. Harrison, W. R. Boyles, G. W. Maret, D. Biemann, J. P. Micker, C. E. Watson, C. Jones, Abel Robins, J. W. Shelor, J. P. Reid, S. M. Pegg, Samuel Johnson, Henry Kennedy, S. McCully, B. F. Whitner, B. F. Weims, John R. Cochran, and their associates and successors, be, and they are hereby, constituted a body politic and corporate, by the name and style of the People's Accommodation Railroad Company.

Corporators.

Corporate
name.

SEC. 2. That the said company shall have power and authority to build and construct a railroad from a point at or near the confluence of the Tugalo and Seneca Rivers, in South Carolina, to the town of Walhalla, and, also, to the town of Anderson, by the most direct and practicable route to each of said towns; to acquire, by purchase or otherwise, and to hold, own, possess and sell, or otherwise transfer, real and personal estate. It shall also have all and every other power, authority, privilege and right common or necessary to similar corporations, not inconsistent with the laws of this State or the provisions of this Act.

Line of road.

General powers.

SEC. 3. That the said corporators shall be *ex officio* Directors of said company, with the usual powers and privileges, including the power to fill vacancies in their body, should any occur, until said company is fully organized.

Directors.

A. D. 1874.

Subscription
to capital stockSubscriptions
—in what pay-
able.May unite or
consolidate
with other
roads.Counties in-
terested may
subscribe to
capital stock.Amount
thereof limitedMajority of
qualified voters
to vote in favor
of subscriptionCounty Com-
missioners to
order election.Election—
how conducted

Returns.

SEC. 4. That for the purpose of creating the capital stock of said company, which shall not exceed two millions of dollars, the said corporators, or a majority of them, are hereby authorized and empowered, so soon after the passage of this Act as may be deemed advisable, to appoint Commissioners to open books of subscription, at such times and places, and under such rules and regulations, as may be prescribed; the capital stock of said company to be divided into shares of one hundred dollars each, and the subscription thereto to be received, payable in money, land, labor or material necessary in the construction or equipment of said railroad, bonds, stock or other valuable credits, in such manner, and upon such terms, as may be agreed between the said company and such subscribers.

SEC. 5. That the said company shall have full power and authority to connect with or cross all other railroads on its proposed line; and, also, to unite or consolidate with other railroads, either in or out of the State, in such manner, and upon such terms, as may be agreed between the companies so consolidating: *Provided*, The same be not inconsistent with the laws of this State.

SEC. 6. That any County or town interested in the construction of the People's Accommodation Railroad be, and is hereby, authorized and empowered to subscribe to the capital stock of said company, or of any company with which it may unite or consolidate; said subscription to be made in bonds of such County or town, and to be payable in such manner as the people or proper authorities of such County or town, under the provisions of this Act, shall deem best, determine and authorize: *Provided*, Said subscription shall not exceed five per cent. of the assessed value of the real and personal property in such County or town: *Provided, further*, That no subscription shall be made unless a majority of the qualified voters of such County or town, after due advertisement of the amount to be subscribed and the manner of its payment, shall, at an election held for the purpose, cast their votes in favor of said subscription. For this purpose the County Commissioners are hereby authorized and empowered, on the written petition of twenty legal voters of such County or town, to provide for the holding of such election. The election shall be conducted in the same manner as is now provided by law for general elections; and the Commissioners of Election, within ten days after the time of holding the same, shall forward to the Board of County Commissioners a certified return, setting forth the entire number of votes cast thereat, and also the number of votes cast respectively for and against making such subscription.

SEC. 7. If a majority of the entire number of votes cast at the

election shall be in favor of making such subscription the Board of County Commissioners shall immediately cause such bonds to be printed or engraved, and sign the same, and also have the same countersigned by their clerk and sealed with their seal. The said bonds shall be numbered and delivered to the said company on receipt of an amount of stock of the said company equal to the amount of the said bonds.

A. D. 1874.

County Commissioners to have bonds prepared.

SEC. 8. This Act shall be deemed a public Act, and continue in force ninety-nine years.

Approved March 3, 1874.

AN ACT TO DIVIDE THE STATE INTO FIVE CONGRESSIONAL DISTRICTS. No. 474.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State of South Carolina shall be, and the same is hereby, divided into five Congressional Districts, as follows, to wit: The First Congressional District to be composed of the Counties of Georgetown, Williamsburg, Darlington, Marlboro, Marion, Horry, Chesterfield and Sumter. The Second Congressional District to be composed of the Counties of Charleston, Orangeburg, Clarendon and Lexington. The Third Congressional District to be composed of the Counties of Richland, Newberry, Abbeville, Laurens, Anderson, Oconee and Pickens. The Fourth Congressional District to be composed of the Counties of Greenville, Spartanburg, Union, York, Chester, Fairfield, Kershaw and Lancaster. The Fifth Congressional District to be composed of the Counties of Colleton, Beaufort, Barnwell, Edgefield and Aiken.

Counties composing First Congressional District.

Second Congressional District.

Third Congressional District.

Fourth Congressional District.

Fifth Congressional District.

SEC. 2. That until the next apportionment be made by the Congress of the United States, each of the said Congressional Districts shall be entitled to elect one member to represent this State in the Congress of the United States. After such new apportionment by Congress, the General Assembly shall divide the State into as many Congressional Districts as it is entitled to members in the House of Representatives of the United States.

Each District, until next apportionment, entitled to one member of Congress.

Approved March 3, 1874.

A. D. 1874. **AN ACT TO INCORPORATE THE UNION BRIGHT LIGHT SOCIETY,**
 No. 475. **IN BEAUFORT COUNTY.**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That L. W. Simmons, William Grant, Andrew Murray, Isaac Heyward, and their associates and successors, be, and they are hereby declared, a body corporate and politic, by the name and title of the "Union Bright Light Society," and that they have power, by their corporate name and style, to sue and be sued, to plead and be impleaded, to have and use their own seal, and to make their own by-laws, not inconsistent with the laws of the land, and with power to purchase and hold real and personal estate to the amount of ten thousand dollars.

Corporators.
 Corporate name.
 Powers and privileges.

SEC. 2. That this Act shall be deemed a public Act, and continue in force for twenty-one years.

Approved March 3, 1874.

No. 476. AN ACT TO CHARTER THE CHARLESTON WATER AND CANAL COMPANY, IN THE STATE OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, for the purpose of introducing pure water in the city of Charleston, from the Edisto River, in a manner deemed most practicable of cutting a canal at or near Girham's Ferry, to a point on the Ashley River, at or near Cypress Plantation, and removing obstructions, deepening and straightening the latter, so as to render it navigable for the transportation of the products of the country, a charter, with the rights and privileges of the same, be, and is hereby, granted to the City Council of Charleston, their successors in office, under the name of the Charleston Water and Canal Company, of South Carolina.

Object of charter.
 To whom granted.
 Corporate name.

SEC. 2. The capital stock of said company shall be one million and five hundred thousand dollars, in shares of one hundred dollars each, with power to increase the capital one million dollars, should the wants of the company so require the same; and in order to raise the said capital stock, it shall be lawful for the said City Council of Charleston, or their successors in office, to negotiate with capitalists, for such sum or sums of money as may be neces-

Capital stock.

sary for carrying on and completing the public works aforesaid, upon such terms as the majority of the corporation may deem advisable; or to open books of subscription in such places and at such times as may be deemed for the best interest of the corporation, or their assigns, the times and places for receiving such subscription to be determined by a majority of the corporators; and should a subscription be resorted to for raising the funds aforesaid, and when one million dollars shall have been subscribed, notice shall be given to the subscribers of the time and place of meeting for organization.

A. D. 1874.

Subscription
to capital.

SEC. 3. That the City Council of Charleston, their successors in office, shall have all the rights and privileges incident to such corporate bodies; and shall be permitted to have, hold, purchase and possess lands, and make sale of the same, or any property acquired by them, and shall have authority to impose on barges, rafts, vessels, boats and floats such toll as may be deemed by them fair and proper for the use of said canal.

General pow-
ers.

SEC. 4. This corporation shall have water communication from the Edisto River, at Girham's Ferry, to the nearest convenient point on the Ashley River, or near the point thereon aforesaid, and from that point down the Ashley River, two hundred and fifty feet wide, on both sides of the river, one for the pipe track, and one for the tow path, and may appropriate any land on this route necessary to promote the objects of this corporation in the transportation of water along the banks of the canal and a portion of the Ashley River, and from thence to the city of Charleston, and to facilitate, also, the transportation of the products of the country, such as wood, phosphates, rice, cotton, lumber, &c., provided they shall pay a just and reasonable compensation for lands appropriated for said purposes, which, if not agreed upon between owners or legal representatives of the land and the said company, to be ascertained and determined in accordance with the provisions of an Act of the General Assembly entitled "An Act to declare the manner by which the lands, or right of way over the lands, of persons or corporations may be taken for the use of railroads or other internal improvements," ratified September 22, 1868.

Line of water
communica-
tion.

Right of way.

SEC. 5. That the City Council of Charleston, or their successors in office, is hereby charged with the preservation of the canal aforesaid, and the banks of the Ashley River along which the water pipes may run, from injury or nuisance, with the execution of such measures as may be necessary to preserve and increase the quantity of water and keep it pure; with the management, preservation and repairs of the draws, gates, aqueducts, reservoirs, mains, pipes, pipe-yard, and property of every description belonging to the water

May abate all
nuisances.

A. D. 1874.

May construct, repair and cleanse sewers.

Responsibility of Council.

Penalty for interfering with canal.

May establish water rates

works; and the purchase and laying down of such mains as the City Council, or the majority of them, their successors in office, may authorize; and also the construction, repairs and cleansing of all sewers and underground drains, and such new sewers as may be adapted for the sewerage of the city of Charleston; the said City Council, or their successors in office, shall be responsible for the supply and the order and security of all works from the Edisto River, to the head of the canal, and the Ashley River, to the said city, inclusive; for the exactness and durability of the structures which may be erected, and of the daily work to be performed, and for the sufficiency of the supply in the pipe-yard to meet every casualty; for the fidelity, care and attention of all persons employed by the department in making constructions and repairs.

SEC. 6. If any person shall willfully do, or cause to be done, any act whereby any works, materials or property whatever which shall be erected or used within the city of Charleston, or elsewhere, by the said City Council of Charleston, their successors in office, or by any person or persons, acting under their authority, for the purpose of procuring or keeping the supply of water, shall in any manner be injured, or shall erect or place any nuisance on the banks of the said canal, shall throw anything into the aqueduct, or any reservoir, or pipes, such person or persons, on conviction thereof, shall be deemed guilty of a misdemeanor.

SEC. 7. The City Council of Charleston, and their successors in office, may, by ordinance, establish a scale of annual rates, to be called the "regular rates," and apportion to different classes of buildings in said city, in reference to their dimensions, value, exposure to fires, ordinary use for dwellings, stores, shops, private stables, and other common purposes, number of families, or occupants, or consumption of water, as near as may be practicable; and modify, alter, amend or increase such scale from time to time, and extend it to other descriptions of buildings and establishments. Such "regular rates," when so established, shall be collected from the owners of all such houses, respectively, which shall be situated upon any lots adjoining any street or avenue in said city in which the distributing water pipes may be laid, and from which they can be supplied with water. Said "regular rates" shall become a charge and lien upon such houses and lots, respectively, as herein provided: *Provided*, Such owners shall subscribe to and become water consumers.

SEC. 8. Hotels, factories, stables, and other buildings and establishments which consume an extra quantity of water may, in addition to the regular rates, be charged with additional rates, to be called "extra rates."

Extra rates.

SEC. 9. The regular annual rates which are not paid before the first of January in each year shall be subject to an additional charge of five per cent.; and those rates not paid before the first of April in each year shall be subject to an additional charge of ten per cent.

A. D. 1874.

Penalty for failing to pay said rates.

SEC. 10. The rules and restrictions for the use of water, printed on each permit, shall be notice to the water-takers, and shall authorize the execution and recovery, by process of law, of any penalties which the City Council, and their successors in office, may impose, in addition to cutting off the water for any violation of rules.

Rules and restrictions, how enforceable.

SEC. 11. For the collection of water-rents, to be imposed by virtue of this Act, it shall take effect on the first day of October in the year after that in which the said City Council of Charleston shall determine to carry its provisions into effect.

Act, when to take effect.

SEC. 12. That this Act shall be deemed a public Act, and as such shall be judicially noticed in all the Courts of this State.

Approved March 3, 1874.

AN ACT TO MAKE THE ROAD LEADING FROM THE MURRAY'S FERRY ROAD TO THE SANTEE ROAD, IN CLARENDON COUNTY, A PUBLIC HIGHWAY. No. 477.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the road recently laid out in Clarendon County, leading from a point near J. W. Hilton's plantation, on the Murray's Ferry Road, by Joseph Sprott's plantation, past Cypress Union Church, crossing Dean Swamp at the Colclough place, and Burch Branch at the old crossing, and intersecting the Santee Road near R. D. Thames' Store, he, and the same is hereby, declared and made a public highway.

Road leading to Murray's Ferry Road a public highway.

Approved March 3, 1874.

AN ACT TO DESIGNATE THE PLACES FOR THE COLLECTION OF THE TAXES IN YORK COUNTY. No. 478.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer of the County of York, or his deputies, shall attend each of the following places in said County, for at least two days in each fiscal

Places for the collection of taxes designated.

A. D. 1874.

year, for the collection of taxes : Yorkville, Hickory Grove, Block Station, Beathsaney, Bethel, Clay Hill, Fort Mill, Cates' Tavern, Pride's Old Mill, McConnelsville and White's Store, and at Rock Hill four days, and at as many other places as the public good may require.

Approved March 3, 1874.

No. 479. AN ACT TO INCORPORATE THE LADIES' BRANCH SOCIETY, OF ST. HELENA ISLAND, BEAUFORT COUNTY.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. B. Colonel, Edward Small, Paris Brown, Samuel Middleton, Benjamin Scott, William Simmons, Bruce Colonel, Toney Danielass, York Polite, Rodwell Chisolm, and their associates and successors, be, and they are hereby, declared a body corporate and politic, by the name and style of the Ladies' Branch Society, for the space of fourteen years, and that they shall have power, by their corporate name and style, to sue and be sued, to plead and be impleaded, to have and to use their own seal, and to make their own by-laws, not inconsistent with the laws of the land, with power to purchase and hold real and personal estate to the amount of twenty thousand dollars.

Corporators.

Corporate name.

Powers and privileges.

Approved March 3, 1874.

No. 480. AN ACT TO RENEW THE CHARTER OF THE CAROLINA MUTUAL INSURANCE COMPANY, OF CHARLESTON, S. C.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act of the General Assembly of this State entitled "An Act to incorporate the Carolina Mutual Insurance Company, of Charleston, S. C.," ratified the sixteenth day of December, in the year of our Lord 1852, be, and the same is hereby, renewed and extended for the term of twenty years from and after the ratification and approval of this Act.

Charter renewed.

Approved March 3, 1874.

AN ACT TO INCORPORATE THE BUTCHERS' MUTUAL AID AND
PROTECTIVE ASSOCIATION.

A. D. 1874.

No. 481.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel R. Cox, Moses E. Brown, John A. Godfrey, Francis Perry, Richard Dickerson, Joseph Parker and Benjamin Jones, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the Butchers' Mutual Aid and Protective Association, situated in the city of Charleston.

Corporators.

Corporate
name.Powers and
privileges.

SEC. 2. And said corporation shall have power to make such rules and by-laws, not repugnant to the laws of the land, as for the charity, maintenance, protection, order, good government and management thereof may be deemed necessary and expedient; and shall have succession of officers and members, according to their elections; and to keep and use a common seal, the same to alter at will; to sue and be sued, implead and be impleaded, in any Court of law or equity in this State; to have and enjoy every right, power and privilege incident to such corporations; and it is hereby empowered to purchase, have, hold, receive, enjoy, possess and retain to itself in perpetuity, or for any term of years, any lands for the purpose of interments, or other property, of what nature soever, as may be given or bequeathed or purchased by it, and to sell, convey or mortgage the same, or any part thereof, at will.

May hold and
convey real
estate.

SEC. 3. That said corporation may, from time to time, invest their moneys, assets, or any property which it may acquire, in such real and personal property, bonds, stocks, or in securities, in such sums and on such terms and conditions as it may deem proper, and to execute bonds, &c., under its corporate seal: *Provided*, That the maximum value of all property held or owned by said corporation shall not exceed forty thousand dollars, (\$40,000.)

May invest
its moneys.Value of prop-
erty which it
may hold limi-
ted.

SEC. 4. This Act to continue in force until repealed, and may be given in evidence without being specially pleaded.

Approved March 3, 1874.

AN ACT TO INCORPORATE THE GLENN SPRINGS COMPANY.

No. 482.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. R. Fowler, George P. Copeland, C. M. Miller and W. D. Simpson, of South Carolina, and such other persons as now are, or may hereaf-

Corporators.

A. D. 1874. ter be, associated with them, their successors and assigns, be, and they are hereby, constituted a body corporate and politic, by the
 Corporate name. name and style of the "Glenn Springs Company," for the purpose
 Objects of as Glenn Springs, Spartanburg County, S. C., and to this end they
 corporation. are hereby made capable in law, in their corporate name, to have,
 Powers and hold, purchase, receive and sell all such property, real and personal,
 privileges. as, in their judgment, may be necessary, and to use such other agencies, not prohibited by law, as the company may deem necessary to carry out its objects.

SEC. 2. That said company may sue and be sued by its corporate name; make and use a common seal; establish, alter and amend such by-laws and regulations as it shall deem proper, not in conflict with the laws of this State.

Capital stock. SEC. 3. The capital stock of said company shall be ten thousand dollars, with the right to increase the same to any sum not exceeding one hundred thousand dollars, and the stock may be paid in money or real estate, as the company may determine, the same to be divided into such number of shares as said company may determine.

Liabilities of stockholders. SEC. 4. That all the property, real and personal, of said company shall be liable for its debts, and the private property of the stockholders shall also be liable for the debts of the said company to the amount of each stockholder's share therein.

SEC. 5. This Act shall continue of force for a period of thirty years from and after its passage.

Approved March 3, 1874.

No. 483. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF WILLIAMSBURG COUNTY TO LEVY A SPECIAL TAX.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Williamsburg County be, and they are hereby, authorized and directed to levy and collect a special tax of two mills on the dollar for the fiscal year commencing November 1st, 1874, and continue the collection of the same each succeeding year until the sum of twenty-five thousand dollars (\$25,000) shall have been collected, said sum to be used exclusively for the purpose of paying the past indebtedness of the said County.

Annual tax of two mills to pay past indebtedness.

SEC. 2. That all persons holding audited claims against said County be, and they are hereby, required to file a list of such audited claims, with the amount and date thereof, in the office of the County Treasurer, within ninety days from and after the passage of this Act: *Provided*, That due notice be given for thirty days in the usual manner of the opening of the books of registry by the said Treasurer.

A. D. 1874.

All audited claims to be registered with County Treasurer.

Notice of same to be given.

SEC. 3. That it shall be the duty of the Treasurer to pay said audited claims in order of their priority.

Claims payable in order of priority.

SEC. 4. That any officer authorized and empowered to carry out the provisions of this Act who shall fail in any respect in the performance of such duty shall be deemed to have committed a malfeasance in office, and, upon conviction, shall forfeit his office and be subject to a fine of not less than one hundred nor more than one thousand dollars, at the discretion of the Court.

Penalty for violation of this Act.

Approved March 3, 1874.

AN ACT TO INCORPORATE THE RICHMOND GUARDS, OF COLUMBIA, No. 484.
SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Frank Allen and Henry Williams, and their successors in office, be, and they are hereby, constituted a body corporate and politic, under the name and style of the Richmond Guards, of Columbia, South Carolina, with a capital stock not exceeding the sum of five thousand dollars, with the right to sue and be sued, to plead and be impleaded, in any Court of competent jurisdiction, to have and to use a common seal, and the same to alter at will, and with all other rights, privileges and immunities that are now secured by law to like incorporated bodies.

Corporators.

Corporate name.

Powers and privileges.

SEC. 2. This Act shall be deemed a public Act, and shall remain in force until repealed.

Approved March 3, 1874.

AN ACT TO INCORPORATE THE WEETEE RIFLE COMPANY, OF No. 485.
WILLIAMSBURG COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the several persons who now are, or may hereafter be, officers and

Corporators.

A. D. 1874. members thereof, and their successors, officers and members, be, and they are hereby declared to be, a body politic and corporate, by the name and style of the Weetee Rifle Company, of Williamsburg County, and that they the said corporation may, by its corporate name, sue and be sued, implead and be impleaded, in the Courts of this State, and shall be able and empowered in law to purchase, have, hold, enjoy and possess any goods, chattels, lands, tenements or real estate, of whatever kind or nature soever, and the same, or any part thereof, to sell, alien, or convey at their will and pleasure: *Provided, however,* That the property so held shall not exceed the annual value of twenty thousand dollars; and the said corporation shall have power to make a common seal, with power to change and alter the same as often as they shall deem necessary, and to make such rules and regulations for its government as are not inconsistent with law.

Corporate
name.

Powers and
privileges.

SEC. 2. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved March 3, 1874.

No. 486.

AN ACT TO INCORPORATE THE PETTY RIFLE CLUB.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Edward Petty, Prince Doctor, James Reese, Ned Wright, Albert Nickson, Charles Burkin, John Henry and J. Smith, and all persons who now are, or may hereafter become, members of the Petty Rifle Club, be, and they are hereby, constituted and declared a body politic, by the name and style of the Petty Rifle Club.

Corporators.

Corporate
name.

Powers and
privileges.

SEC. 2. That the said corporation hereby created and established shall have succession of officers and members according to its by-laws, and shall have power to make all necessary by-laws, not repugnant to the laws of the land, to sue and be sued, implead and be impleaded, in any of the Courts of this State, and to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real and personal, as it may acquire by purchase, right, devise, bequest, or in any other manner whatsoever, and the same, or any part thereof, to sell, alien, incumber, mortgage or convey at the will and pleasure of such corporation: *Provided,* That the amount of property, real and personal, so held shall not at any one time exceed the sum of twenty-five thousand dollars.

SEC. 3. That this Act shall continue in force for the space of fourteen years, and until the meeting of the next General Assembly thereafter, and that the same be deemed a public Act, and may be given in evidence without being specially pleaded.

A. D. 1874.

Approved March 3, 1874.

AN ACT TO RENEW THE CHARTER OF SULLIVAN'S FERRY, IN No. 487.
COLLETON COUNTY, S. C.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter granted to N. W. Beach, for Sullivan's Ferry, in Colleton County, be, and the same is hereby, renewed to him, the said N. W. Beach: *Provided*, He, the said N. W. Beach, keep the road leading to said ferry for one mile each way in good travelling order. This renewal to remain in force for fourteen years after the passage of this Act.

Charter vested in N. W. Beach renewed.

Approved March 3, 1874.

AN ACT TO INCORPORATE THE ELLIOTT REPUBLICAN CLUB, OF No. 488.
BARNWELL COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Boston Barker, Henry Barker, Silas Care, Thomas Googe, and all other persons who now are or may hereafter be associated with them, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the "Elliott Republican Club, of Barnwell County."

Corporators.

Corporate name.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land, and shall have succession of officers and members, and to keep and use a common seal, the same to alter at will, to sue and be sued, to plead and be impleaded, in any Court of this State, to have and enjoy every right, power and privilege incident to such corporation; and it is hereby empowered to acquire, retain and enjoy all such property, real and personal, as may be given or bequeathed to or pur-

Powers and privileges.

A. D. 1874.

chased by it, and to sell, convey or mortgage the same, or any part thereof, at will.

Investment
of assets.

SEC. 3. That said corporation may, from time to time, invest moneys, assets, or any property which it may acquire, in such real and personal property, bonds, stock, or in sureties, in such sums and on such terms and conditions as it may deem proper, under its corporate seal: *Provided*, That the maximum value of all property held and owned by said corporation shall not exceed fifteen thousand dollars, (\$15,000.)

SEC. 4. That this Act shall continue in force until repealed.

Approved March 3, 1874.

No. 489. AN ACT TO INCORPORATE THE FARMERS' MUTUAL CLUB, OF EDGEFIELD COUNTY.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Paul W. Jefferson, Jack Pickley, George Perrin, Sr., Jordan Hodges, George Frazier, Pleasant Mills, Archy Melton, Myer Melton, Ned Simpkins, Thomas Simpkins, Jr., Anthony Dogget, and their associates and successors, be, and they are hereby, incorporated and declared a body politic and corporate, under the name and style of the "Farmers' Mutual Club, of Edgefield."

Corporate
name.

Powers and
privileges.

SEC. 2. That the said corporation shall have power to elect from among themselves such officers as they may deem expedient; and shall have power to make by-laws for its government not repugnant to the laws of the land; to use and keep a common seal, and the same at will to alter; to sue and be sued in any Court of this State; to have and enjoy every right and privilege incident to such corporations; and the said corporation is hereby empowered to acquire, retain and enjoy all such property, real and personal, not exceeding in value the sum of twenty-five thousand dollars, as may be given or bequeathed to or purchased by it, and to sell, convey or mortgage the same, or any part thereof, at will.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved March 3, 1874.

AN ACT TO INCORPORATE THE UNION REPUBLICAN WIDE AWAKE
ASSOCIATION, OF THE CITY OF CHARLESTON.

A. D. 1874.

No. 490.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. H. Thompson, A. P. Ford, J. J. Grant, R. B. Artson, S. E. Gaillard, W. R. Jervey, Timothy Hurley, W. A. Grant, C. C. Bowen, R. W. Turner, Aaron Logan, C. J. Andell, J. F. Green and Louis Dunemann, and their successors and associates, be, and they are hereby, incorporated and made and declared a body politic and corporate, in deed and in law, under the name and style of the "Union Republican Wide Awake Association, of the city of Charleston," and, as such body politic, shall have power to use and keep a common seal, and the same at will to alter, to make all necessary by-laws not repugnant to the laws of the land, and to have a succession of officers and members conformably to such by-laws, to sue and be sued in any Court of competent jurisdiction in this State, and to have, use and enjoy all other rights and be subject to all other liabilities incident to bodies corporate.

Corporators.

Corporate
name.Powers and
privileges.

SEC. 2. That this Act shall be deemed a public Act, and shall continue in force until repealed.

Approved March 3, 1874.

AN ACT TO INCORPORATE THE TOWN OF GRAHAM, IN THE
COUNTY OF WILLIAMSBURG.

No. 491.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the passage of this Act, all citizens of this State who may have resided in what has been known as the village of Graham's Cross Roads, in the County of Williamsburg, and their successors, are hereby declared to be members of the corporation hereby intended to be created.

Corporators.

Corporate
name.

SEC. 2. That the said persons, and their successors, shall be a body politic and corporate, which shall be known and called by the name of the town of Graham, and the corporate limits thereof shall extend one-half mile in each direction from the depot of the Northeastern Railroad in said town.

Corporate
limits.

SEC. 3. That the said corporation shall enjoy all the powers and privileges conferred, and be liable to all the restrictions imposed by an Act entitled "An Act to alter and amend an Act entitled 'An

Invested with
powers and
privileges con-
ferred by char-
ter of village
of Kingstree.

A. D. 1874. Act to incorporate the village of Kingstree,''' approved March 20, A. D. 1869.

Officers. SEC. 4. The said town shall be governed by an Intendant and four Wardens, who shall, at the time of their election, be members of the said corporation, and shall be elected on the first Monday in April in each year, five days' public notice thereof being previously given; and all members of said corporation shall be entitled to vote at any and all elections for Intendant and Wardens of the town of Graham: *Provided*, That the first election to be held under this Act shall be conducted by a Board of three Managers of Election, to consist of H. Lenud, A. L. Graham and James D. Singletary, who shall conduct the same, declare the result, giving notice in writing to the person so elected as Intendant and Wardens.

Electors.

Election.

Managers thereof.

SEC. 5. This Act shall be taken and deemed a public Act, and shall remain in force until repealed.

Approved March 3, 1874.

No. 492. AN ACT TO INCORPORATE THE LONGSHOREMEN'S PROTECTIVE UNION ASSOCIATION, OF PORT ROYAL.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, I. S. Grant, Kit Chisholm, Wm. Dennison, Henry Hamilton, Moses Green, Joseph Hayle, and such other persons as may now, or hereafter shall be, associated with them, are hereby made and declared a body politic and corporate, by the name and style of the Longshoremen's Protective Union Association, of Port Royal.

Corporators.

Corporate name.

SEC. 2. That the association aforesaid shall have succession of officers and members according to its by-laws, and shall have power to make by-laws not repugnant to the laws of the land, and to have, use and keep a common seal, and the same to alter at will; to sue and be sued, and plead and be impleaded in any Court in this State. It is hereby empowered to retain, possess and enjoy all such property, real and personal, as it may possess or be entitled to, or which shall hereafter be given, bequeathed to or in any manner acquired by it, and to sell, alien or transfer the same.

Powers and privileges.

SEC. 3. That this Act shall be deemed a public Act, and continue in force twenty years from the date of its ratification.

Approved March 3, 1874.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ALTER AND
AMEND AN ACT TO INCORPORATE THE VILLAGE OF KINGSTREE."

A. D. 1874.

No. 493.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to alter and amend an Act to incorporate the village of Kingstree," approved March 26, 1869, be, and the same is hereby, amended by striking out, in line 2, Section 9, the word "twenty," and insert the word "forty;" also, insert after the word "exhibition," on sixth line of same Section, the following words: "Billiard and bagatelle tables, ten-pin alleys, or any other alleys, and livery stables."

"Forty" inserted in lieu of "twenty."

License of billiard tables, etc., provided for.

Approved March 3, 1874.

AN ACT TO INCORPORATE THE CHARLESTON MEMORIAL OF FREEDOM PUBLISHING COMPANY.

No. 494.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That R. B. Hewitt, T. G. Lane, and such other persons as may or hereafter shall be associated with them, are hereby made and declared a body politic and corporate, by the name and style of the "Charleston Memorial of Freedom Publishing Company."

Corporators.

Corporate name.

Powers and privileges.

SEC. 2. That the association aforesaid shall have succession of officers and members according to its by-laws, and shall have power to make by-laws not repugnant to the laws of the land, and to have and use one common seal, and the same to alter at will; to sue and be sued, and plead and be impleaded, in any Court of this State; it is hereby empowered to retain, possess and enjoy all such property, real and personal, as it may possess or be entitled, or which hereafter may be purchased or in any way acquired by it, and to sell, alien or to transfer the same.

SEC. 3. That this Act shall be deemed a public Act, and continue in force for the term of five years.

Approved March 3, 1874.

A. D. 1874. **AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF GREENVILLE COUNTY TO SELL AND CONVEY CERTAIN PUBLIC PROPERTY IN THE CITY OF GREENVILLE.**
 No. 495.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Greenville County be, and they are hereby, authorized and empowered to sell and convey the public property in the city of Greenville known as the "Old Court House," and the ground upon which it stands, upon such terms as they think best for the public interest: *Provided*, They are able to realize a fair price for the same.

County Commissioners to sell old Court House and grounds.
Condition of sale.

SEC. 2. In case of the sale of said property, it shall be the duty of the said County Commissioners to pay the same over to the County Treasurer, to be used for County purposes, and paid out upon the warrants of the said County Commissioners upon the past indebtedness of the County.

Proceeds of sale to be used to pay past indebtedness.

SEC. 3. That it shall be the duty of the County Commissioners to sell the said property at public outcry, after giving thirty days' public notice of sale.

Sale to be made at public outcry.

Approved March 3, 1874.

No. 496. AN ACT TO REQUIRE THE TREASURERS OF CERTAIN COUNTIES HEREIN NAMED ANNUALLY TO ATTEND AT CERTAIN PLACES IN SAID COUNTIES FOR THE COLLECTION OF TAXES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Treasurer of Lexington County annually attend two days at the following places, viz.: Lexington Court House, Spring Hill, Elford's and Count's Store, Leesville, J. Shuley's Mills, Howell's Mills, Dominick's Store, and Assman's Store, for the collection of taxes.

Places for collection of taxes designated.
Lexington.

SEC. 2. That the Treasurer of Union County annually attend one day at the following places, after having given at least ten days' public notice, viz.: Draytonville, Gowdeysville, Going's, Jonesville, Jasper Gibbs', Cross Keys, Goshen Hill, Fish Dam, Santuc, and balance of time for collection of taxes at Union Court House.

Union.

SEC. 3. That the Treasurer of Greenville County shall attend annually at the following places: Greenville Court House, Grove Station, McCullough's Store, Fairview, Batesville, Ware's Store, Chick Springs, Gowensville, Goodwin's Store, Dickey's Store, Al-

Greenville.

fred Hood's, Double Springs and Bethel, for the collection of taxes. A. D. 1874.

SEC. 4. That the Treasurer of Chesterfield County shall attend annually at the following places: At Chesterfield Court House, Cheraw, Cole Hill, Steer Pen Springs, Mount Croghan, Old Store, Jefferson and Alligator, for the collection of taxes. Chesterfield.

SEC. 5. That the Treasurer of Anderson County shall attend annually at the following places: Pendleton, Williamston, Belton, Honea Path, Craytonville, Millford's Store, Moffatsville, Holland's Store, Townville, Andersonville, Greenwood, Brushy Creek and Calhoun's, for the collection of taxes. Anderson.

SEC. 6. That the Treasurer of Oconee County shall attend annually at a point as near the centre of each township of said County as practicable, (after fifteen days' advertisement,) for the collection of taxes. Oconee.

SEC. 7. That this Act take effect from and after its passage, and that all Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved March 3, 1874.

AN ACT TO AMEND SECTION 23, 25, 27, OF CHAPTER XIX, OF No. 497.
THE REVISED STATUTES OF THE STATE OF SOUTH CAROLINA.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Chapter XIX of the Revised Statutes, Sections 23, 25, 27, be amended as follows: Strike out the word "September," wherever it may occur in said Section, and insert the word "November." "November"
inserted in lieu
of "Septem-
ber."

Approved March 3, 1874.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REVISE No. 498.
AND AMEND AN ACT ENTITLED 'AN ACT TO REDUCE ALL ACTS
AND PARTS OF ACTS TO DETERMINE AND PERPETUATE THE
HOMESTEAD INTO ONE ACT AND TO AMEND THE SAME.'"

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act to revise and amend an Act entitled "An Act to reduce all Acts and parts of Acts to determine and perpetuate the homestead

A. D. 1874.

Separate prop-
erty of mar-
ried women—
when entitled
to benefit of
homestead.

Minor chil-
dren of decess-
ed married
women—when
entitled to
homestead.

Aggregate of
property ex-
empt as home-
stead limited.

into one Act and to amend the same," approved March 13, 1872, be amended by substituting in lieu of Section 12 the following: "And in case any woman having a separate estate shall be married to the head of a family who has not, of his own, sufficient property to constitute a homestead as hereinabove provided, the said married woman shall be entitled to all of the provisions and benefits of this Act, so as to exempt all the property hereinabove allowed as a homestead exemption from attachment, levy and sale under any execution against her for debts of her own contracting; and in case of the death of any married woman entitled to homestead as above provided, the minor children of such woman shall be entitled to the right of homestead in the same manner and to the same extent as now provided by law for the minor children of any deceased head of a family: *Provided*, That nothing herein contained shall be construed so as to allow any one family a greater amount of property in the aggregate than is allowed in Sections 1 and 2 of the Act herein amended to the head of any family.

SEC. 2. That Section 12 of the Act herein amended be known and denominated as Section 13 of said Act.

Approved March 3, 1874.

NO. 499. AN ACT TO INCORPORATE THE TOWN OF BRUNSON, IN BEAUFORT COUNTY.

Corporators.

Corporate
limits.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the citizens of this State who may be inhabitants of the town of Brunson, within the limits hereinafter prescribed, are hereby declared a body corporate. The limits of said town shall be held and deemed to be in the form of a circle, and a square upon that circle, with the sides of the square touching the circumference of said circle on the north, east, south and west; the said circle to describe a circumference of one-half mile in all directions from the central point of the intersection of the Port Royal Railroad and Monker street as the centre of said town; and the streets within the limits of the said corporation to remain, in regard to number, location and extent, as now established by law, until altered by lawful authority.

Officers.

SEC. 2. The said town shall be called Brunson, and be governed by an Intendant and four Wardens, to be called the Town Council of Brunson, and by that name have succession of members, keep a common seal, take and hold property, (necessary for corporate uses

only,) sue and be sued, implead and be impleaded, and enjoy every right incident to an incorporation.

A. D. 1874.

SEC. 3. That the said Intendant and Wardens shall be always persons who are constitutionally qualified to vote for members of the Legislature in this State, who actually reside within the limits aforesaid, and have so resided at least twelve months immediately preceding their election. Before entering upon the duties of their offices, they shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "I do solemnly swear (or affirm) that I am duly qualified, according to law, to exercise the duties of the office of Intendant (or Warden) of Brunson, and that I will equally and impartially discharge the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my appointment: So help me God." The said Intendant and Wardens shall hold their offices from the time of their election until the second Monday in September ensuing, and until their successors shall be elected and enter upon the discharge of their duties.

Qualification
of officers.

Oath of of-
fice.

SEC. 4. That all male persons who are constitutionally qualified to vote for members of either branch of the State Legislature, and who have been permanent residents in the said town for sixty days immediately previous to the election in which they offer to cast their votes, (not, however, including transient boarders and lodgers,) accompanied with actual residence in the town (which, however, must be periodical, or intended to be so,) for at least three months previous to the election, shall be entitled to a vote for Intendant and Wardens of the said town.

Electors.

SEC. 5. That in case a vacancy should occur in the office of Intendant, or any of the Wardens, by death, resignation, removal or otherwise, or in case of a tie in said election, an election to fill such vacancy shall be held by the appointment of the Intendant and Wardens, ten days' public notice being previously given; and in case of the sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of the Wardens to act in his room during the time.

Vacancies.

SEC. 6. The election of the Intendant and Wardens of said town, after the first election under this charter, which first election shall be held on the second Monday in April, 1874, in like manner as is provided herein for all elections of Intendant and Wardens under this charter, shall be held at the Town Hall, or some other convenient public place in the said town, on the second Monday in September of each and every year, from ten o'clock A. M. until three P. M., when the polls shall be closed, and the Managers shall forthwith count the votes, proclaim the election, and give notice in writing to the

Election.

A. D. 1874.

Managers—
appointment
and duties.

persons elected. The Intendant and Wardens for the time being shall appoint three Managers to hold the ensuing election, and for any subsequent elections. Whenever there shall not be an Intendant and Wardens, or Intendant and Warden, it shall be the duty of the Clerk of the Court of Beaufort County to order such election forthwith and appoint three Managers for the same. The Managers shall, in each case, before they open the polls for such election, take an oath fairly and impartially to conduct the same; and the Managers of such election are hereby authorized and empowered to administer, if they see fit, an oath to any person offering to vote, and to make all other necessary inquiries, for the purpose of ascertaining whether such person or persons are qualified to vote under this law.

Judicial pow-
ers.

SEC. 7. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, within the limits of said town, be vested with all the powers and jurisdictions of Trial Justices of this State, except for the trial of civil causes. The Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business. The said Town Council shall have full power, under its corporate seal, to ordain and establish all such rules, by-laws and ordinances respecting the streets, pavements, ways, markets, public buildings, weights, measures, wells, disorderly places, fire department, police, and in general every other by-law, as shall appear to them requisite for the security, welfare and convenience of said town, and for preserving health, peace, cleanliness, order and good government within the same, and to prevent the violation of its ordinances by imposing fines not to exceed fifty dollars, or imprisonment not exceeding forty-eight hours for each offense: *Provided*, That no fine above the sum of twenty dollars shall be collected by the said Council, except by a suit in a Court having jurisdiction: *And provided, also*, That no ordinance shall be repugnant to or inconsistent with the laws of the land; and all ordinances shall be at all times subject to a repeal by the Legislature.

Fines.

Marshals—
appointment,
powers and
duties.

SEC. 8. The Intendant and Wardens shall also have power to elect or appoint a Marshal, and, if they see fit, a Deputy Marshal, upon such terms as they may deem proper, who shall be duly sworn by the Intendant, invested with all the powers Constables now have by law, and whose power and authority shall be confined within the limits of the said town, and whose duty shall be to collect all fines and forfeitures imposed by the Intendant and Wardens, and to enforce and carry into execution and effect the by-laws and ordinances of the said corporation, and who shall be

liable to be removed by the said Town Council; and the said Intendant and Wardens shall also have power to establish an ordinance, whenever they shall deem it expedient, to appoint and establish a police corps or night watch for the said town, the expense of the same to be provided for out of the revenue of the said corporation.

A. D. 1874.

SEC. 9. That the said Town Council shall have power to establish a guard house and to prescribe by ordinance suitable rules and regulations for keeping and governing the same; and the said Town Council may, by ordinance, or said Intendant and Wardens may, in person, any one or more of them, authorize and require any Marshal, Deputy Marshal or police officer, or any Constable specially appointed, to arrest and commit to said guard house, or other place of custody, to be designated by the Intendant and Wardens, for a term not exceeding forty-eight hours, any person or persons who may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of the said town, or any of them; and it shall be the duty of the Town Marshal or other police officer to arrest and commit all such offenders, and who shall have power to call to their assistance the *posse comitatus*, if need be, to aid in making such arrests; and upon failure of said Marshal or police officer in the performance of such duty as required, they shall, severally, be subject to such fines and penalties as Council may establish; and all persons lawfully imprisoned shall pay the costs and expenses incident to their imprisonment, and be subject to such fines as Council may impose for the offense committed.

Guard House.

Power to arrest and commit to jail.

SEC. 10. That the said Intendant and Wardens shall have full power to abate and remove nuisances in the said town.

Nuisances.

SEC. 11. That it shall be the duty of the said Council to keep all roads, ways and streets within the corporate limits open and in good repair, and for that purpose they are invested with the powers vested in County Commissioners; and they shall have full and exclusive power to order out all the hands now liable or hereafter made liable by the laws of this State, and to require them to work on the respective roads, ways and streets within the limits of the said corporation as many days in each year, and to inflict the same fines and penalties for the non-performance thereof, as is by law now inflicted by the different Boards of Commissioners in the respective Counties in this State; and for neglect of duty therein they shall be liable to the same penalties as are now imposed on County Commissioners: *Provided*, That it shall not be obligatory on the Town Council to open any street within the limits of the said town, unless

Duties in respect to roads and streets.

A. D. 1874.

upon the petition of the person applying for the same, alleging that the said street is necessary for his use and accommodation, and that there is no other direct or convenient access for him to the business part of the town, which petition shall be verified by the affidavit of the applicant and recommended by at least twelve of the taxable inhabitants of the said town.

SEC. 12. The said Intendant and Wardens shall have power to compound with all persons liable to work on said roads, ways and streets, upon the payment of such sum of money as they may deem a fair equivalent therefor, to be applied to the use of said corporation. And the Intendant and Wardens are hereby individually exempted from the performance of road and police duty; and no person residing within the said town shall be liable to work on any road without the said limits, or be taxed or assessed for the same.

Licenses.

SEC. 13. That the power to grant licenses for billiard tables, to keep taverns or retail spirituous liquors within the limits of the said incorporation, be, and the same is hereby, vested in the Town Council of Brunson, which licenses shall be granted in the same manner and upon the same conditions as they are now, or may hereafter be, under the laws of this State; and all moneys received for licenses, taxes, fines, exhibitions, etc., etc., within the said limits, shall be appropriated to the public uses of said corporation.

Fines—how collected.

SEC. 14. That all fines and forfeitures imposed by said Town Council, under the power vested by law, shall be collected by *fiere facias*. The Sheriff for the County of Beaufort for the time being, and his lawful deputies, be, and they are hereby, authorized to execute the process of the said Council of Brunson, as by law the Marshal of said corporation might or should now do, having the same privileges, powers and emoluments, and subject to the same duties and penalties, as herein provided: *Provided*, That all *nulla bona* costs incident on any execution issuing from said Town Council, and directed to the said Sheriff, shall be paid by said Town Council.

Sheriff to execute processes.

Rate of annual taxation.

SEC. 15. That the said Town Council of Brunson shall have power to impose, for the uses of the said corporation, the following annual taxes: On all real estate within the said limits, except that held for religious or charitable purposes, a tax not exceeding one-quarter of one per cent.; on all sales of merchandise, and income arising from factorage, faculties and professions, except the salaries of clergymen of all religious denominations, a tax not exceeding one-eighth of one per cent.; on all wheel carriages kept for hire, a sum not exceeding five dollars each; on all itinerant traders, a tax not exceeding twenty-five dollars; also, to prescribe and fix the tax on all shows and exhibitions within the limits of said corporation. And the said Town Council shall have power to enforce the payment of all taxes

and assessments levied under authority of this Act against the property and persons of all defaulters, to the same extent and in the same manner as is provided by law for the collection of the general State taxes, except that the executions may be directed either to the Sheriff or the Town Marshal, or other person especially appointed by Council to collect the same.

A. D. 1874.

SEC. 16. And the said Town Council shall be authorized to borrow money for educational and corporate uses only, and to assess each of the corporators in an amount not exceeding twelve per cent. on his corporation tax, to aid in the payment of the principal and interest of the said debt: *Provided*, That the funded debt of the town shall at no one time exceed the sum of three thousand dollars: *And provided, also*, That no loan shall be consummated without the previous concurrence of the voters of the said town, to be ascertained through the medium of the ballot box, after ten days' public notice, as is provided for in the case of election for Intendant and Wardens.

Authority to borrow money.

SEC. 17. And that this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved March 3, 1874.

AN ACT TO INCORPORATE THE MUTUAL AID ASSOCIATION No. 500. SOCIETY, OF CHARLESTON, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James H. Brawley, H. Z. Burkmeier, Alexander Artopee, Abraham Jones, and their associates and successors, be, and they are hereby, incorporated and declared a body corporate, by the name and style of the Mutual Aid Association Society, of Charleston, South Carolina; and by said name and style may sue and be sued in any Court in this State; and shall have succession of officers and members, and have a common seal.

Corporators.

Corporate name.

SEC. 2. That the said corporation shall have power to purchase, receive and possess any real or personal property not exceeding twenty-five thousand dollars in value; and to sell, convey or mortgage the same; and to make such rules and by-laws, not repugnant to law, as may be deemed necessary and expedient.

Powers and privileges.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved March 3, 1874.

- A. D. 1874.
 No. 501. AN ACT TO AUTHORIZE AND EMPOWER AARON LOGAN, JOHN VANDERPOOL, B. D. HOLMES, EDWARD BENNETT, WARLEY VENNING, G. H. ALLEN AND K. B. SINGLETON TO ESTABLISH A WHARF AT CAINHOY, ON THE WANDO RIVER.

Authority to
 build wharf
 and collect
 wharfage at
 Cainhoy.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Aaron Logan, John Vanderpool, B. D. Holmes, Edward Bennett, Warley Venning, G. H. Allen and K. B. Singleton be, and they are hereby, authorized and empowered to build a wharf, and collect the usual rate of wharfage on the same, at Cainhoy, on the Wando River, and to extend the same as far toward the channel of said river as may be necessary for commercial business.

Charter—in
 whom vested.

SEC. 2. That the franchise herein granted be vested in the said Aaron Logan, John Vanderpool, B. D. Holmes, Edward Bennett, Warley Venning, G. H. Allen and K. B. Singleton, their heirs, executors, administrators and assigns, for the term of ninety-nine years.

SEC. 3. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 3, 1874.

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- No. 502. AN ACT TO INCORPORATE THE BRICK MASONS' AND PLASTERERS' LINK, OF RICHLAND COUNTY, S. C.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. J. Myers, Dedford Wells, Robert Martin, Richard Oglesby, Samuel Perrine, Levi Thompson, Anthony Williams, Henry Parker, John Pope, George Wallace, William Manigault, George Mitchell, Philip Dukes, Anthony Bryant, Jacob Kennedy, Henry Smith, W. D. Myers, Benjamin Reeves, Peter Williams, Lewis Reeves, Isaac Green, together with such other persons who now are, or hereafter may be, associated with them, be, and they are hereby declared, a body corporate, under the name and style of the Brick Masons' and Plasterers' Link, of Richland County, South Carolina, and shall have succession of officers, and shall have a common seal.

Corporate
 name.

Powers and
 privileges.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real or personal estate not exceeding in value the sum of ten thousand dollars, and to sell, convey and dispose of the same; and by its corporate name to sue and be sued in any

Court of this State, and to make such rules and by-laws, not repugnant to the laws of the land, as may be considered necessary and expedient.

A. D. 1874.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved March 3, 1874.

AN ACT TO INCORPORATE THE PEOPLE'S BUILDING LOAN ASSOCIATION, OF CHARLESTON, SOUTH CAROLINA. No. 503.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. T. Oliver, S. Booker, F. H. Carmand, Daniel Webster, Samuel Bowles, N. A. Montgomery, Alfred Bernard, G. I. Cunningham, W. J. Brodie, R. B. Artson, A. Logan, C. C. Bowen, H. W. Thompson, W. A. Grant, R. W. Turner, James F. Green, and such other persons as they may associate with them, be, and they are hereby declared, a body corporate, by the name and style of the People's Building Loan Association, of Charleston, S. C., the capital stock whereof shall be one thousand shares of one hundred dollars each, with right to increase the same from time to time to four thousand shares, to be paid by successive monthly installments of one dollar on each share; but each stockholder shall have the privilege of paying, from time to time, in advance, the whole or any part of the installments on his shares, and to receive such semi-annual interest or dividends on the same as the rules and by-laws of the association may establish.

Corporators.

Corporate name.

Capital stock.

SEC. 2. The said corporation shall have power to make such rules and by-laws as are not repugnant to the Constitution and laws of this State; shall have such number and succession of officers as shall be established and chosen according to said rules; may make regulations for holding, assigning and pledging shares held therein, and establish fines and forfeitures for default of any payment due by a stockholder, or breach of any of its rules; also to have and keep a common seal, to sue and be sued, and have and enjoy all other rights and privileges incident to corporate bodies, according to the laws of the land.

General powers.

SEC. 3. The funds of the said corporation may be loaned to its stockholders or others, secured by bond and mortgage of real estate and pledge of stock held in it, or may be used in purchase of real estate on such terms and under such conditions as may be established by its by-laws; and it shall be lawful for said corpora-

Investment of funds.

A. D. 1874.

May acquire
and dispose of
real estate.

Real estate
mortgaged for
advances not
subject to ben-
efits of home-
stead.

Dividends.

Liability of
stockholders.

Division and
distribution of
assets.

tion to hold such lands, tenements, hereditaments and stock in said corporation as it may from time to time purchase, or as may be mortgaged or conveyed to it as security for loans, and may sell, alien and dispose of the same to its stockholders or others as it may from time to time determine; and all loans made by said corporation which shall be secured by mortgage of real estate shall be understood, held and construed to have been borrowed to pay obligations contracted for the purchase of the mortgaged premises, or for the erection of improvements thereon, and shall be superior to the right of homestead therein.

SEC. 4. The said corporation shall have the right, out of its profits, to declare and pay quarterly, semi-annual or annual dividends on the stock held therein, whether paid up in whole or in part, according to such proportions as its rules may establish, but no dividend shall ever be paid so as to diminish its capital stock; and the stockholders of the said corporation shall be severally liable for its debts and obligations to an amount equal to the par value of the stock held by them respectively.

SEC. 5. This Act is hereby declared a public Act, and shall continue of force for the term of twenty years: *Provided, however,* That the stockholders shall have the right at any time to dissolve the said association, first paying all its debts and making final *pro rata* distribution amongst the members of its property and assets.

Approved March 3, 1874.

No. 504. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND SECTION 2, CHAPTER XXV, OF THE GENERAL STATUTES OF SOUTH CAROLINA," RELATING TO NUMBER OF TRIAL JUSTICES OF CERTAIN COUNTIES THEREIN NAMED.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That after "Barnwell" strike out the word "eight" and insert "ten;" and after "Orangeburg" strike out the word "ten" and insert "fifteen;" and after "Lexington" strike out the word "nine" and insert "ten;" after the word "Edgefield" strike out "twelve" and insert "fifteen;" after the word "Beaufort" strike out "ten" and insert "fifteen."

Approved March 3, 1874.

AN ACT TO INCORPORATE THE CHARLESTON REPUBLICAN ASSOCIATION, OF CHARLESTON, SOUTH CAROLINA.

A. D. 1874.

No. 505.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Alonzo J. Ransier, Albert O. Jones, Timothy Hurley, Josephus Woodruff, Richard H. Cain, William Gurney, George I. Cunningham, William J. McKinlay, Robert B. Artson, William R. Jervy, Samuel A. Gaillard, James F. Green, Charles C. Puffer, their associates, successors and assigns, are hereby created a body politic and corporate, under the name and style of the "Charleston Republican Association, of Charleston, South Carolina," which corporation shall have succession of officers and a common seal.

Corporators.

Corporate name.

SEC. 2. That said corporation shall have power to purchase, receive and hold any real and personal estate, not exceeding in value one hundred thousand dollars, and to sell, convey and dispose of the same, and by its corporate name to sue and be sued in any of the Courts of this State, and to make such rules and by-laws, not repugnant to the laws of the land, as may be considered necessary and expedient for its government.

Powers and privileges.

SEC. 3. That this Act shall be deemed a public Act, and shall continue in force until repealed.

Approved March 3, 1874.

AN ACT TO EMPOWER THE CITY COUNCIL OF CHARLESTON TO ELECT AN INSPECTOR GENERAL OF TIMBER AND LUMBER, AND FOR OTHER PURPOSES.

No. 506.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the City Council of Charleston be, and they are hereby, empowered to elect, immediately after the passage of this Act, an Inspector General of Timber and Lumber for the city of Charleston, who shall take the same oath now required by law from the present Timber and Lumber Inspectors and Measurers; and shall have supervision and control over said officers, and not to be interested, either directly or indirectly, in the purchase and sale of any timber and lumber. The Inspector General shall be elected regularly every two years, the first election under this Act to serve to the time of the next annual election, by the said City Council, of Timber and Lumber Inspectors and Measurers, and for two years thereafter.

Inspector General of Timber and Lumber—election, powers and duties.

Not to be interested in purchase or sale of timber and lumber.

Election and term of office.

A. D. 1874.

City Council
to enact laws
for inspection,
&c., of lumber.

To prescribe
duties of In-
spector Gen-
eral.

To regulate
his fees.

Fees of In-
spector not to
be additional
charge to seller
or purchaser.

SEC. 2. That for the purposes of inspecting and measuring all timber and lumber bought and sold within the limits of the city of Charleston, the City Council of the said city be, and they are hereby, empowered to enact the necessary laws for the inspection and measurement of the same, to prescribe the duties of the Inspector General and the Inspectors and Measurers, and to regulate the fees to be received by such officers for their services: *Provided*, That the fees to be received by the Inspector General of Timber and Lumber herein created for the city of Charleston shall in no way become an additional charge to the seller or purchaser of said timber and lumber for the inspection or measurement of the same.

SEC. 3. All Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 3, 1874.

No. 507. AN ACT TO INCORPORATE THE STEVENS LIGHT INFANTRY, OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That M. D. Brown, W. A. King, P. Proctor, H. H. Brown, C. A. Nelson, and such other persons as they may associate with them, be, and they are hereby, declared a body corporate, under the name and style of the Stevens Light Infantry, and shall be endowed with all the powers and privileges incident to such corporations.

Corporate
name.

Powers and
privileges.

SEC. 2. That said corporation shall have the right to have, hold and enjoy real and personal property that may be acquired by purchase or otherwise, to an amount not exceeding twenty thousand dollars (\$20,000); they may have, keep and use a common seal, the same to be altered or amended at pleasure.

SEC. 3. This Act shall be deemed to be a public Act, and shall continue in force for twenty (20) years.

Approved March 3, 1874.

No. 508. AN ACT TO INCORPORATE THE TOGLIO FERRY COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a ferry be, and the same is hereby, established under the name and style of

Toglio Ferry
Company char-
tered.

the Toglio Ferry Company, commencing at a point in the city of Charleston, and touching at James Island, John's Island, Wadmalaw Island, Edisto Island, Toogoodoo, and at any other point on the main land that the said company may find important or necessary to their interest: *Provided*, That the said company shall not, in any manner, interfere with transportation by sail or row boats, steamers or flats, nor shall this charter in any way interfere with the ferry now established across the Stono River, and known as John's Island Ferry.

A. D. 1874.

Where may touch.

Not to interfere with transportation by sail or other boats, or with the John's Island Ferry Company.

SEC. 2. And the said company is hereby made responsible for any damage arising from delays on the said route other than those by accident usually exempted in such cases, and their rates for freight shall not exceed the rates now charged by the present carriers on the route, and this charter shall not take effect until said company shall have filed a certified schedule of their freight charges in the office of the Clerk of the Court of Charleston County, which schedule may be lowered, but not so changed as to be higher than they are now.

Responsibility of Company.

Rates of freight limited.

To file list freight charges in Clerk's office.

SEC. 3. That for the purpose of the establishment of the said ferry company a charter, with all the rights and privileges incidental to the same, be, and is hereby, granted to William R. Jervey, Edward Petty, Peter Bright, John Thorne, John B. Connor, James Hutchinson, Captain Peter Toglio, C. C. Bowen, C. J. Andell, Sherman Smalls, John Vanderpool, A. P. Ford, R. W. Turner, T. Hurley, R. B. Artson, R. Bryan, and their associates and successors, who are hereby constituted a body politic and corporate, by the name and style of the Toglio Ferry Company aforesaid.

Corporators.

Corporate name.

SEC. 4. That the said ferry company shall not be entitled to charge for more than one wharfage on freight carried either from Charleston to any other point, or from any point to Charleston, or between any two points on the route.

Wharfage.

SEC. 5. The capital stock of said corporation shall be fifty thousand dollars, with the right to increase the same, by a vote of the majority of stockholders, to any sum not exceeding one hundred thousand dollars. That said corporation shall commence business within sixty days after their capital stock shall have been subscribed and certified to by the Secretary of State, for record in his office, under the oath of the President and Treasurer of the corporation.

Capital stock.

When to commence business.

SEC. 6. That all property, real and personal, of the said corporation, shall be liable for the payment of their debts.

Liability of corporation.

Approved March 3, 1874.

A. D. 1874.

No. 509.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF AN INSPECTOR OF TIMBER AND LUMBER FOR THE PORT AND HARBOR OF PORT ROYAL, AND TO DEFINE HIS POWERS AND DUTIES.

Inspector of
Timber and
Lumber for
town of Port
Royal—ap-
pointment of.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That there shall be appointed by the Governor of the State, by and with the advice and consent of the Senate, an Inspector of Timber and Lumber for the port and harbor of Port Royal, who shall take an oath that he will not, during his term of office, be directly or indirectly interested in the ownership, purchase or sale of any timber or lumber brought to the port of Beaufort. The said Inspector of Timber and Lumber for the port and harbor of Port Royal shall be appointed by the Governor, by and with the advice and consent of the Senate, for the term of two years, and shall have authority and power to appoint such deputies as he may deem necessary and fit.

Office hours.

SEC. 2. The duties of the Inspector of Timber and Lumber, so appointed, shall be to keep an office in the town of Port Royal, which shall be open from eight o'clock A. M. to one o'clock P. M., and from two o'clock P. M. until five o'clock P. M. The Deputy Inspectors of Timber and Lumber, appointed by him, shall receive their orders from him, and shall promptly obey the same. All timber

All arrivals
of timber and
lumber to be
reported to
him.

and lumber arriving within the limits of the port of Beaufort shall be reported to him, he keeping a record of the number of rafts, the name of the owner of such rafts, by whom reported, and the time when reported; and it shall be his duty to assign one of his duly appointed Deputy Inspectors to inspect and measure such raft. All timber and lumber arriving within the limits of the town of Beaufort, not in rafts, shall, before being offered for sale, be reported to the said Inspector of Timber and Lumber, and he shall at once assign some one of his duly appointed deputies to inspect and measure the same, he keeping a record as before stated. He shall make out all survey bills, and sign the same officially, keeping in his office a copy of the same. He shall collect all bills for inspection and measurement, and be responsible to his subordinates for the

Deputy In-
spectors to
measure the
same.

Inspector and
Deputies not to
be interested
in timber or
lumber offered
for sale.

same. Under no consideration shall the said Inspector, or any of his subordinates, be allowed any interest whatever in the ownership of any timber or lumber offered for sale in the port, unless by permission of the Town Council, to whom they must first apply.

May appoint
Deputies.

SEC. 3. That the said Inspector of Timber and Lumber shall be, and he is hereby, on his own responsibility, authorized and empowered to appoint as many and such deputies as he may deem to be necessary and proper.

SEC. 4. That all square hewn shipping timber must be measured at the middle of the stick. Mill timber must be measured at one-third from the top or small end, and marked when measured; and mill or round logs measured at the top or small end.

A. D. 1874.

Rules for
measurement
of timber.

SEC. 5. All defects in any timber, such as loose, hollow, rotten or other defective knots, red rot, rotten butts, cat faces, ring, wind or heart shakes, are to be marked on the margin of the survey bill as defects; and all defective timber shall be sold as such, and at such prices as may be agreed upon between the buyer and seller; and to ascertain if any timber is defective, the Inspector or his deputy shall cut from each raft one or more logs, and examine the bottom of such log or logs, and if found defective, then he shall proceed to examine each log in the same way.

Defective
timber, how
marked and
sold.

SEC. 6. Sufficient allowance to square the stick must be made in the measurement of under-hewn square lumber.

Allowance,
when and how
made.

SEC. 7. In the measurement of timber and mill logs, the Inspector or his deputy must make allowance when the stick is crooked, so that in cutting up the miller can obtain the measurement it calls for.

SEC. 8. All sticks of timber shall be distinctly marked with the size and length and private mark of the Inspector or his deputy.

Private mark
of Inspector.

SEC. 9. All rafts of timber must be classified number 1, 2, 3, and so marked on the Inspector's bill; all defective logs must be marked on each log or stick which is defective. No. 1, or shipping timber, must be well and smoothly hewn to square edge, and clear of wane, score bucks and injurious axe marks, square butted, and not have more than one inch taper to every running twenty feet. No. 2, or mill timber, will comprise all square timber not coming up to the requirements of shipping timber, and in measurement throwing off the wane. No. 3, or mill logs, will be known as sound or scooped logs, and in measurement must be squared from the smallest diameter of the log. The Inspector and his deputies shall invariably exclude pin holes in taking the length of timber or lumber.

Timber, how
classified.

SEC. 10. The Inspector, or his deputy or deputies, shall be notified of the defective timber found in their measurement, not so marked, within thirty days from the day of sale.

To be notified
of defective
timber.

SEC. 11. In all cases of dispute as to measurement or inspection, that of the Inspector shall be final; and when requested to do so, it shall be his duty to re-survey and inspect and measure any timber or lumber which may be the cause of dispute.

Decision of
Inspector, in
case of dispute,
final.

SEC. 12. The Inspector shall be a competent surveyor, and shall give a bond of five thousand dollars, with two or more sureties, to be approved by the Board of County Commissioners.

Qualification
and bond of
Inspector.

A. D. 1874.

Fees.

SEC. 13. The fees for the inspection and measurement of all timber and lumber within the limits of the town of Beaufort shall be ten cents per thousand feet, board measure; five cents shall be paid to the Deputy Inspector, and the remaining five cents to be paid to the Inspector. In case of sickness or absence of the Inspector, the Inspector shall appoint one of his deputies to act as Inspector.

All lumber offered for sale must be marked.

SEC. 14. All lumber brought to the Beaufort market for sale shall first be marked by said Inspector, or one of his deputies; and any one offering any such lumber for sale without its having been previously so marked and measured shall be subject to a fine hereinafter provided. If any such lumber be raft lumber, and is sold in raft, or rafts, or bulk, then the Inspector shall take the length and width and count the number of tiers, reducing depth to inches, in each raft, which raft shall be numbered and marked with the Inspector's or his deputy's own cipher or private mark, and for which he or his deputy shall be entitled to ten cents per thousand feet (board measure) net for all lumber so measured; and of said amount, if he be a deputy, he shall pay to the Inspector four cents for every thousand feet so measured. Of all lumber brought to the town of Beaufort for sale, otherwise than in raft or rafts, each piece shall be inspected and measured, and the contents marked on it, by either the Inspector or one of his duly appointed deputies, whose duty it shall be to classify all such lumber, making two classes, merchantable and refuse, unless otherwise agreed upon between buyer and seller, viz.: 3-4, 4-4, 5-4, 6-4, 7-4 boards, showing 2-3 heart on heart side, clear of black sap, shakes, splits, red or rotten wood, worm holes, defective knots and wane edges, shall be classified as merchantable, and all below this standard shall be classified as refuse. It shall be the duty of the Inspector, or his deputy, that when a board is not full 5-4 it shall be measured 4-4, and that when a board is not sawed parallel it shall be measured at the narrowest part of the board.

Fees for same

Classification of lumber.

What classed merchantable.

SEC. 15. All two inch, three inch and four inch plank and other lumber, clear of shakes, splits, rotten or red wood, worm holes and defective knots, showing 2-3 heart on heart side and being square-edged, shall be classified as merchantable, and all other blank lumber not coming up to this standard shall be classed as refuse.

What refuse.

Survey bill.

SEC. 16. The Inspector or his deputy shall render to the owner or seller a survey bill, showing the number and kind of pieces of each kind and quality; and he shall be entitled to and receive a fee of thirty cents per thousand feet, board measure, for every thousand feet measured, and out of said amount the Inspector shall receive five cents for every thousand feet, the entire fee to be paid by the

Fees for board measure.

owner or seller: *Provided*, That the fees to be received by the Inspector of Timber and Lumber herein created shall in no way become an additional charge to the seller or purchaser of said timber or lumber for the inspection or measurement of the same.

A. D. 1874.

SEC. 17. Any deputy making a wrong measurement, the same being reported to the Inspector, and he finding the measurement wrong, shall not be entitled to any fee for the measurement of said timber or lumber, and the fees, if already collected, shall be returned to the owner or seller; and if the deputy shall be reported a second time for wrong measurement, he shall lose his fees and be discharged as deputy for the town of and harbor of Port Royal.

Penalty for false measurement.

SEC. 18. Any one violating the provisions of this Act shall be subject to a fine, to be imposed by any Court of competent jurisdiction, of one hundred dollars for each and every offense so committed.

SEC. 19. All Acts or parts of Acts conflicting with the provisions of this Act are hereby repealed.

Approved March 3, 1874.

AN ACT TO INCORPORATE THE "VICTORIA RAILROAD COMPANY." No. 510.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of establishing a railroad from some point on Colleton Neck, near the junction of the Chikeseesee and Colleton Rivers, in Beaufort County, to some point on the Savannah River, in the same County, opposite or near the city of Savannah, Georgia, a charter, with the rights and privileges incidental to the same, be, and the same is hereby, granted and vested in N. B. Myers, A. A. Aspinwall, J. D. Robertson, W. J. Bowen, John Leith, R. F. Gleaves, J. J. Wilson, J. Mitchell, and their associates; and when a company shall be formed in compliance with the conditions herein prescribed, it shall be known by the name of the "Victoria Railroad Company," and shall have a corporate existence as a body politic.

Line of road.

Corporators.

Corporate name.

SEC. 2. That the capital stock of said company shall be five million dollars, (\$5,000,000,) in shares of fifty dollars each; and in order to raise the said capital stock it shall be lawful to open

Capital stock.

A. D. 1874.

Books of subscription.

books of subscription in such places and at such times as may be deemed for the best interests of the corporation, under the direction of the corporators, the times and places for receiving such subscriptions to be determined by a majority of the corporators; and the subscription books shall be kept open for twenty days from such time, and at such places, as said corporators may determine; that on each share of the stock subscribed, the subscribers shall pay one dollar to the corporators, who shall deposit the same in some National or State Bank. When fifty thousand dollars shall have been subscribed any four of the said corporators shall give notice, by publication for at least ten days, of the time and place of meeting for organization.

Invested with powers and privileges conferred by charter on Spartanburg and Union Railroad.

SEC. 3. Whenever the said sum of fifty thousand dollars shall have been subscribed, the subscribers, their executors, administrators and assigns, shall be, and they are hereby declared to be, incorporated into a company, and all the rights and privileges and powers granted by the charter of the Spartanburg and Union Railroad Company, to that company, shall be, and are hereby, granted to the Victoria Railroad Company, subject to the conditions therein contained, except in so far as the special provisions of this Act modify or vary the same: *Provided*, That nothing herein contained shall be so construed as to exempt the Victoria Railroad Company from the provisions of Section 1, Chapter LXIII, of the General Statutes, nor to exempt the said company from the payment of taxes.

Right of way, how obtained.

SEC. 4. That all questions concerning the right of way of said railroad, when the company and land owners cannot agree touching the same, shall be determined in the same manner as is provided by the tenth Section of an Act entitled "An Act to authorize the formation of the Spartanburg and Union Railroad Company," ratified on the seventeenth day of December, 1847, (S. L., Vol. 12, p. 479,) for determining questions of right of way of said railroad. In all cases of appeal for assessments by Commissioners, full costs shall be awarded to the party prevailing, and the collection thereof enforced as in cases of trespass.

SEC. 5. That this Act shall be held and deemed a public Act, and shall vest and continue in said company for and during the term of fifty years, to be computed from the time of the corporate existence of the company.

Approved March 3, 1874.

AN ACT TO INCORPORATE THE SALUDA MANUFACTURING COMPANY, OF LEXINGTON COUNTY.

A. D. 1874.

No. 511.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William Johnston, John B. Palmer and others, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the Saluda Manufacturing Company, for the purpose of manufacturing cotton yarns and cloths, paper, and such other fabrics as the demand of the community may require, and for procuring and making such machinery to carry on such manufactures, and also for the transaction of all such business as may be connected with the above purposes, with a capital of three hundred thousand dollars, with the privilege to increase it to any extent not exceeding six hundred thousand dollars, the consent of a majority of the stockholders being first had and obtained.

Corporators.

Corporate name.

Objects of corporation.

Capital stock.

SEC. 2. That the said corporation may purchase and hold such real estate as may be required for their purposes, or such as they may deem it for their interest to take in settlement of any debt due to them, and may dispose of the same; and may erect such mills, machine shops and other buildings thereon as may be deemed necessary; and may sue and be sued, have and use a common seal, and make such by-laws for the regulation and government of said corporation, not inconsistent with the Constitution and laws of the United States and of this State, as may be deemed necessary, and shall have, generally, all the rights, powers and privileges in law incident or appertaining to corporations.

May acquire and dispose of real estate.

May erect mills, machine shops, &c.

General powers.

SEC. 3. That this Act shall be a public Act, and shall continue in force during the term of thirty years.

Approved March 3, 1874.

AN ACT TO AMEND SECTION SEVENTY-FOUR (74) OF AN ACT ENTITLED "AN ACT TO GRANT, RENEW AND AMEND THE CHARTERS OF CERTAIN TOWNS AND VILLAGES THEREIN MENTIONED," APPROVED MARCH 9, 1871, RELATING TO THE VILLAGE OF LANCASTER.

No. 512.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section seventy-four (74) of an Act entitled "An Act to grant, renew and amend the charters

A. D. 1874.

Village of
Lancaster, cor-
porate limits.

of certain towns and villages therein mentioned," approved March 9, 1871, be, and the same is hereby, altered and amended, by striking out the words "one mile," in the third line, and inserting in place thereof the words "one-half mile," so that the said Section, in the part hereby altered and amended, will read as follows : "That the village of Lancaster, extending one-half mile in every direction from the Court House, be, and the same is hereby, incorporated by the name of the village of Lancaster."

Approved March 3, 1874.

No. 513. AN ACT TO REGULATE THE ASSESSMENT OF AND COLLECTION OF TAXES UPON THE REAL ESTATE OF MARION COUNTY.

Preamble.

Whereas great irregularities have been ascertained to exist in the assessment and valuation of the real estate in Marion County ; and whereas, in consequence of the extent of these irregularities, adequate redress cannot be afforded to aggrieved tax-payers by the hearing of individual applications for relief ; therefore,

Taxes on real
estate to be
collected on as-
sessment of
1872.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the taxes heretofore provided to be collected upon the real estate in said County for the fiscal year commencing the first day of November, one thousand eight hundred and seventy-three, be levied upon the assessment of the real estate of said County upon which the taxes thereon were levied for the fiscal year commencing the first day of November, one thousand eight hundred and seventy-two, instead of upon the assessment thereof made in the year one thousand eight hundred and seventy-three ; and that this Act apply as well to such persons as may have heretofore paid their taxes for the present fiscal year as to those whose taxes have not yet been paid.

This provision
applicable
to taxes al-
ready paid.

Real estate
to be re-assess-
ed this year.

SEC. 2. That a re-assessment of the real estate of said County be made during the present year, one thousand eight and seventy-four, at the time provided by law for the assessment of personal property.

SEC. 3. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 5, 1874.

AN ACT TO INCORPORATE THE LONG CANE MANUFACTURING
COMPANY, OF SOUTH CAROLINA.

A. D. 1874.

No. 514.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John M. Reith, John Anderson, William McKay and William Spruil, and such persons as now are, or hereafter may be, associated with them, their successors and assigns, be, and they are hereby, constituted a body corporate and politic, by the name and style of the "Long Cane Manufacturing Company," by which name and style they are hereby made capable in law to have, hold, purchase, receive, work, sell, mortgage, lease, enjoy and retain to them, their successors and assigns, lands, buildings, machinery, and goods and chattels of whatsoever kind they may deem conducive to the object and interest of the said corporation, which are the manufacturing, dyeing, printing and finishing of all goods made of cotton or wool, or of which cotton or wool may form a part, and the transaction of all such business as may be necessarily connected therewith, in Abbeville County.

Corporators.

Corporate
name.Objects of
corporation.

SEC. 2. That the said corporation, by their name and style aforesaid, may sue and be sued, plead and be impleaded, in any Court of this State, make and use a common seal, and alter and change the same at their pleasure, and make and establish such by-laws and regulations, and such alterations and amendments thereof, not in conflict with the Constitution or laws of this State, or of the United States, as they may deem proper.

General pow-
ers.

SEC. 3. That the capital stock of the said corporation shall be fifty thousand dollars, with the right to increase the same, by the vote of a majority of the stockholders, to any sum not exceeding one million dollars; that the said corporation may commence business at any time after their capital stock shall have been subscribed and the fact thereof certified to the Secretary of State, for record in his office, under the oath of the President and Treasurer of the said corporation, which capital stock may be paid either in money, real estate, machinery or any other kind of property, the same to be divided into such number of shares as the said corporation shall determine, and the shares to be assignable and negotiable under such rules as the said corporation shall prescribe.

Capital stock.

Certificate to
be filed in Sec-
retary of
State's office.

SEC. 4. That there shall be annual meetings of the stockholders at such time and place as they may designate, for the purpose of choosing a Board of Directors, to consist of not less than three nor more than seven, each of whom shall be a stockholder, and a President and other officers of the said corporation, who

Annual meet-
ing, election of
officers.

A. D. 1874.

may be members of the said Board of Directors, to manage their affairs.

Location of office,

SEC. 5. That the said corporation shall keep an office at their principal manufactory in Abbeville County, which, for all judicial purposes, shall be deemed their location; and all meetings of the stockholders and Directors may be held at such places in this State as shall be directed by the by-laws of the said corporation.

Invested with rights and privileges conferred on similar institutions.

SEC. 6. That the said corporation shall have all the rights and privileges granted by law to other similar manufacturing companies in this State, and all the property, real and personal, of the said corporation shall be liable for the payment of their debts, and the private property of the stockholders shall be liable for the payment of the debts of the said corporation to the amount of stock subscribed by them respectively, and not actually paid in money or in property at the time of the commencement of the suit against them.

Liability of stockholders.

Capital not to be loaned to stockholders.

SEC. 7. That no part of the capital stock of the said corporation shall at any time, or under any pretense, be loaned or divided amongst the stockholders, nor shall any part of the said capital stock be withdrawn by the stockholders while any liability of the said corporation remains unpaid, or any dividend be declared, except from the net earnings of the said corporation.

Manner of voting.

SEC. 8. That each stockholder of the said corporation shall have one vote for each share of the capital stock he may hold or represent at any election for a Board of Directors, or otherwise, and at any other meeting of the said corporation.

Sale of stock of delinquent stockholders.

SEC. 9. That if any stockholder shall refuse or neglect to pay any installment assessed on the share or shares of capital stock held by him, for the space of sixty days after the time designated for the payment thereof, the Treasurer of the said corporation shall, under the order of the Board of Directors, sell at public auction such share, or so many of such shares, if such stockholder have more than one, as may be necessary to pay such assessment, and the proper and necessary expenses attending such sale, and a bill of sale reciting the facts of the case, and signed by the President, and attested by the Treasurer of the said corporation, under their seal, shall be a sufficient transfer of the share or shares so sold to the purchaser or purchasers of the same, and entitle him or them to a certificate or certificates thereof.

SEC. 10. That this Act shall be deemed and taken to be a public Act, and shall continue in force for the term of thirty years.

Approved March 9, 1874.

AN ACT TO REGULATE LABOR OF PERSONS CONFINED IN THE
PENITENTIARY OF THE STATE OF SOUTH CAROLINA.

A. D. 1874.

No. 515.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all labor, of whatever character, which is now being, or may hereafter be, discharged by any person or persons who are now, or may hereafter be, confined in the Penitentiary of this State shall be exclusively discharged by such convicts on labor for the State alone; and the Superintendent and Board of Directors, or any officer or officers of the Penitentiary, are hereby prohibited from the letting, hiring or use of any such labor for any purpose or purposes whatsoever, except as heretofore provided; and any violation of this Act, on the part of said Superintendent, Board of Directors, or any officer or officers, shall be an official misconduct, and, on the information of any person to the Attorney General, he shall immediately commence legal proceedings against him therefor.

Convicts to
be employed
on work of the
State alone.

SEC. 2. That for the violation of the provisions of this Act, the said Superintendent, his assistant or employees, or other person or persons, and the party or persons contracting or receiving the services of said convicts shall be punished, upon conviction, before any Court of competent jurisdiction, by a fine of not less than five hundred dollars, nor more than one thousand dollars, and imprisonment for a period of not less than three months nor more than six months, or either or both, at the discretion of the Court.

Penalty for
violation here-
of.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 9, 1874.

AN ACT TO INCORPORATE THE STEVEDORES' ASSOCIATION, OF
GEORGETOWN. No. 516.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Dandy Wragg, Edward Keith, George H. Powley, Daniel Armstrong, George Wilson, Charles H. Sperry, James Duncan, and their successors, be, and they are hereby, constituted a body corporate and politic, under the name and style of the Stevedores' Association, of Georgetown, with the right to work on the Black, Pee Dee, Sampit and Waccamaw Rivers, and to regulate and fix the rate of pay for their labor; with power to make all necessary by-laws,

Corporators.

Corporate
name.

A. D. 1874.

Powers and
privileges.

not repugnant to the laws of the land ; to have and to use a common seal, and the same to alter and amend at will ; to sue and be sued, to plead and be impleaded, in any of the Courts of the State ; and to have and enjoy all other rights, powers and privileges, and be subject to all other liabilities, incident to bodies corporate ; and it is hereby empowered to take, retain, possess and enjoy all such property as it may acquire by purchase, right, devise or bequeath, or in any other way whatsoever, and the same to sell, mortgage and convey at the will of such corporation : *Provided, however,* That the value of said property, real and personal, shall not exceed the sum of twenty thousand dollars.

SEC. 2. This Act shall be taken and deemed a public Act, and shall continue in force until repealed.

Approved March 9, 1874.

No. 517. AN ACT TO MAKE AN APPROPRIATION TO PAY THE CLAIMS OF THE CITIZENS' SAVINGS BANK, OF SOUTH CAROLINA, AND THE CENTRAL NATIONAL BANK, OF COLUMBIA, S. C., AGAINST THE STATE OF SOUTH CAROLINA.

Sixty-five
thousand dol-
lars appropria-
ted to pay cer-
tain claims.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of sixty-five thousand dollars be, and the same is hereby, appropriated for the payment of pay certificates issued by the authority of the General Assembly, bills payable or Treasury notes of the late State Treasurer, Niles G. Parker, interest on loans, and other evidences of indebtedness, held as claims by the Citizens' Savings Bank, of South Carolina, and the Central National Bank, of Columbia, against the State of South Carolina.

State Treasur-
er to pay
claims with in-
terest to A. G.
Brenizer.

SEC. 2. That the State Treasurer be, and he is hereby, directed and required, upon the presentation at his counter by A. G. Brenizer, Esq., Cashier, or his authorized agent, of the said claims of the said Citizens' Savings Bank, of South Carolina, and Central National Bank, of Columbia, to pay the same, with all lawful interest that may have accrued upon said claims : *Provided,* That the amount of said claims and interest shall not exceed the appropriation herein made.

State Treasur-
er may issue
certificates of
indebtedness.

SEC. 3. That in case there is not sufficient money in the Treasury to pay said claims, or any part thereof, at the time of presentation, the State Treasurer is herein authorized and required to issue to A. G. Brenizer, as Cashier, or his authorized agent, upon demand, cer-

tificates of indebtedness to the amount of said claim, which certificates shall be redeemed by the said Treasurer out of moneys collected from the taxes for the fiscal year commencing November, 1874, or receivable in payment for all taxes or other dues to the State for the said fiscal year, except of taxes for school purposes and interest on the public debt.

A. D. 1874.

Certificates receivable for taxes and redeemable at the Treasury.

Approved March 9, 1874.

AN ACT TO AMEND SECTION THREE OF CHAPTER ONE HUNDRED AND THIRTY-THREE OF THE REVISED STATUTES. No. 518.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section three of Chapter one hundred and thirty-three of the General Statutes be, and the same is hereby, so amended that instead of the punishment in said Section prescribed for the crime of bigamy, every person convicted of such crime shall thereupon be punished by imprisonment in the Penitentiary for not more than five years nor less than six months, or by imprisonment in the jail for six months.

Crime of bigamy, how punished,

SEC. 2. This Act shall take effect upon its passage.

Approved March 9, 1874.

AN ACT TO REGULATE THE FEES OF PROBATE JUDGES, CLERKS OF COURTS, TRIAL JUSTICES, AND OTHER OFFICERS HEREIN MENTIONED. No. 519.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the fees which Probate Judges, Clerks of Courts, Trial Justices, and other officers herein mentioned, shall be authorized to receive, in the several cases herein specified, shall be as follows:

SEC. 2. *Judges of Probate.*—For petition for letters, &c., one dollar; for citation, fifty cents; qualifying executor, administrator or guardian, and issuing letters to same, two dollars; taking bond of administrator or guardian, one dollar; issuing warrant of appraisement, fifty cents; proving will in common form, one dollar; proving will in solemn form, five dollars; filing and entering renunciation of executor, one dollar; *dedimus potestatem* to prove will or

Fees of Judges of Probate.

A. D. 1874.

qualify executor, two dollars ; receiving, examining and filing annual return, one dollar and fifty cents ; for first and final return, each, three dollars ; order for sale of personal property, one dollar ; hearing and filing petition for guardians, and appointment, two dollars ; entering caveat and withdrawing same, one dollar ; for hearing litigated case, three dollars, and twenty-five cents additional for each witness examined ; for issuing summons for each witness, thirty cents ; for issuing rule against defaulting witness, or party failing to account, two dollars ; for every attachment issued on return of such rule, one dollar ; for certifying papers and furnishing proceedings in case of appeal, three dollars ; for proceedings in partition of real estate, five dollars, and fifty cents additional on every hundred dollars, or fractional part thereof, for which the land may be sold, or, in case of partition in kind, for which it may be assessed : *Provided*, That in no case shall the fees and allowances so received aggregate more than twenty-five dollars : *And provided, further*, That in case of partition in kind, no commission shall be charged ; for appointing guardian *ad litem*, three dollars ; commissions on all moneys received and paid out, two per cent. on the first three hundred dollars, and one per cent. on all sums over that amount ; for search for each paper, fifteen cents ; for certificate and seal, fifty cents ; for final discharge of executor, administrator or guardian, two dollars ; for proceedings in dower, inclusive of all charges, fifteen dollars ; for proceedings in lunacy, inclusive, five dollars ; for recording all papers proper to be recorded, or furnishing copy of any paper in his office, per copy sheet of one hundred words, each figure counting one word, fifteen cents ; for proceedings and services setting off homestead, including title, five dollars.

Fees of Clerks
of Court.

SEC. 3. *Clerks of Courts*.—For the trial of every case, two dollars ; for filing papers, twenty-five cents ; for entering judgment, fifty cents ; for signing and sealing sub writ, fifty cents ; for administering oaths, twenty-five cents ; for taking and filing bonds in attachment and other cases, one dollar ; for signing and sealing commission to examine witness, one dollar ; for recording plats under order of Court, one dollar ; for rule of survey, fifty cents ; for each official certificate under seal, fifty cents ; for issuing attachment for contempt or other special writ, one dollar ; for signing and sealing writ of *habere facias possessionem*, fifty cents ; for receiving and paying over money officially, under three hundred dollars, two per cent.; over that amount, one per cent.; on bill *nolle prosequi*, before given out, one dollar ; on bill thrown out by grand jury, or found and *nolle prosequi* abated, discontinued or struck off, two dollars ; on bill found and verdict by petit jury, three dollars ; issuing bench warrant, one dollar and fifty cents ; issuing each execution in Sessions,

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one dollar and fifty cents; signing and sealing writ of *habeas corpus*, one dollar and fifty cents; issuing warrant or taking recognizance, or other services in the Sessions, the same fees allowed to Trial Justices; each writ of *venire facias*, including all services incident to summoning jurors, two dollars and fifty cents; preparing and issuing certificates for grand and petit jurors and Constables, and witnesses, and furnishing returns to County Commissioners for each week of every term of Court, five dollars; furnishing advertisement in case of escheat, exclusive of printer's bill, three dollars; for advertising and giving notice to Managers of Elections, six dollars; for licenses to an attorney, all incidental services included, five dollars; filing, recording and entering notice of alien's intention to become a citizen, one dollar; filing report of alien, one dollar; administering oath of intention, one dollar; filing and entering application to become a citizen and administering oath, two dollars; for giving certificate of citizenship, one dollar; for taking renunciation of dower or inheritance, two dollars; for official record of estray, and filing papers, one dollar; every search for a paper, fifteen cents; every search, with certificate, fifty cents; swearing Trial Justice or Constable in office, and certificate and taking bond, one dollar and fifty cents; recording the bonds of County officers and certifying to same, one dollar and fifty cents; for every probate, in writing, twenty-five cents; for signing *dedimus potestatem*, two dollars; for copying papers, per copy sheet of one hundred words, each figure counting a word, fifteen cents; for signing and sealing each execution and renewal, fifty cents; for copying and recording deeds, mortgages and other papers, per copy sheet of one hundred words, each figure counting a word, fifteen cents; for every certificate on deeds or other papers, twenty-five cents; on every appeal from Trial Justices, all services included, two dollars; for entering satisfaction on mortgages, fifty cents; for recording or copying plats of not more than six corners, one dollar; for every corner more than six, ten cents; for filing every rule or order for arbitration, fifty cents; for filing and recording affidavit for continuance, when so ordered, twenty-five cents; for granting charters of incorporations, two dollars, except for churches, which shall be one dollar; for recording or copying all other papers, necessary to be recorded, not hereinbefore mentioned, per copy sheet of one hundred words, each figure counting a word, fifteen cents.

SEC. 4. *Trial Justices and Justices of the Peace*.—Oath and warrant in any criminal case, fifty cents; each recognizance, fifty cents; commitment and release, each fifty cents; administering and certifying oath, in writing, other than above, twenty-five cents; issuing writ of *habeas corpus* by two Justices, jointly, two dollars; issuing

Fees of Trial
Justices and
Justices of the
Peace.

A. D. 1874.

summons and copy for defendant in civil cases, fifty cents; issuing copy for each additional defendant over one, twenty cents; issuing summons to each witness in civil cases, twenty-five cents; for swearing and taking examination of each witness in civil cases, twenty-five cents; for giving judgment in cases not defended, twenty-five cents; for giving judgment on hearing litigated cases, seventy-five cents; for issuing execution, or renewal of same, fifty cents; report of case, and taking bond to appeal, two dollars; for issuing attachment, returnable to Court or Justice, including all notices, two dollars; for filing return of garnishee, and order thereon, twenty-five cents; for proceedings in case of ejectment, five dollars; for approval of indentures of apprenticeship or servants, one dollar; for proceedings in Coroner's inquest, same fees as are now allowed to Coroners; for proceedings in estray of horse or mule, one dollar; for proceedings on all other estrays, fifty cents; for taking and certifying renunciation of dower or inheritance, two dollars; for granting order of special bail, one dollar; for the trial of any criminal case, three dollars, which shall include all costs except the issuing and service of papers; for every preliminary examination of any criminal case, one dollar and fifty cents; for taking deposition of witness, in writing, as prescribed by law, one dollar; for taking examination of witness, in writing, as prescribed by law, one dollar; for attending and acting for the preservation of wrecked vessels and goods, three dollars per day out of the vessel's goods and effects; for proceedings against vagrants, and returning report thereof, four dollars; for qualifying appraisers in setting off homestead, seventy-five cents, and five cents per mile for all travel actually necessary; administering oath, twenty-five cents; for administering oath on affidavit, fifty cents; proceedings in bastardy, inclusive, five dollars.

Fees of Sheriffs.

SEC. 5. *Sheriffs*.—For entering every writ, process, warrant or execution, and making endorsements thereon, each forty cents; for serving every writ or summons, besides mileage, one dollar; for bond in any case, one dollar; for commitment and release, each twenty-five cents; for serving each *venire* for grand jury, fifteen dollars; for serving each *venire* for petit jury, twenty-five dollars; for serving each bench warrant issued in the Sessions, attachment or contempt of Court, besides mileage, two dollars; for search for persons or goods not found and returned on the execution *non est inventus*, or *nulla bona*, besides mileage, one dollar; levying attachment or execution, besides mileage, one dollar and fifty cents; dieting persons, per day, forty cents: *Provided*, That the Sheriff or person in charge of the jail shall make a monthly return, under oath, to the County Commissioners of the name of each prisoner actually lodged in jail, together with the commitment, and also the name of each prisoner discharged, with the discharge; upon which returns the County Commis-

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sioners shall monthly compute the amount to be paid; executing convict, including all charges for burial and other expenses, fifty dollars; bringing up prisoner under *habeas corpus*, (to be paid by the prisoner, if able, if not, by the County,) besides mileage, two dollars; for executing writ of *habere facias possessionem*, two dollars, and five cents per mile for all necessary travel in executing the same; for transferring money, bonds or other securities for money to party, one per cent.; for summoning freeholders to try suggestion of fraud, five dollars, besides mileage; for serving any paper in civil or criminal cases issued by Trial Justices, the same fees as are allowed to Constables in like cases; conveying prisoners from one place to another, besides all necessary expenses going and returning, three dollars per day; each guard for Sheriff in conveying prisoner, two dollars per day, but no fee shall be paid for any guard who has not actually been employed to assist in conveying prisoners; commissions on all moneys collected by him, if under three hundred dollars, two per cent.; on balance, if the amount collected is over that sum, one per cent.; on all moneys paid out of office on executions lodged, one per cent.; executions lodged to bind and order not to levy, one dollar; advertising defendant's property, in addition to printer's bill, one dollar; drawing deed or mortgage, three dollars; bill of sale, one dollar and fifty cents; each notice served on the Managers of Election of each election precinct, besides mileage, one dollar and fifty cents; in case of ejectment, ejecting tenant or others, five dollars; summoning Coroner's jury and witnesses, besides mileage, to be paid by the County, five dollars; for selling land under decree of Probate, in lieu of commissions and all other charges, except for advertising, three dollars; mileage for executing any writ, process or other paper not hereinbefore mentioned, five cents per mile, going and returning, for all travel actually made and done.

SEC. 6. *Constables*.—For summoning each witness in civil cases, fifty cents; serving summons, rule or notice in any civil case, fifty cents; for serving attachment on each person, one dollar; for levying execution, posting advertisement for sale and paying over proceeds, fifty cents, besides a commission of two per cent. on all sums collected, to be paid by the party in execution; for every day in search of stolen goods, to be paid by complainant, two dollars; for serving a warrant in any State case, one dollar; for selling an estray, five per centum of the proceeds; for all necessary service in case of ejectment, as well before as after judgment, five dollars; for serving Coroner's jury and witnesses, to be paid by the County, five dollars; and in all cases, in addition to the fees herein prescribed, Constables shall be entitled to receive five cents per mile for all necessary travel, going and returning; for each day's attendance upon Court

Fees of Constables.

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of Common Pleas and General Sessions, or other Court, when summoned or specially appointed by the Sheriff, one dollar and fifty cents per day while the Court is actually in session: *Provided*, That the number of Constables summoned or appointed shall be subject to the approval of the presiding Judge: *But provided, further*, That not more than ten Constables shall be summoned or appointed to attend during one term of any Court.

Pay of witnesses.

SEC. 7. *Witnesses*.—Witnesses in civil and criminal cases, per day, one dollar, besides mileage, at five cents per mile, going and returning: *Provided*, That in no case, except in cases of felonies, where witnesses for the defense are bound over, shall the State be liable to pay defendant's witnesses; witnesses in Trial Justices' Courts shall receive fifty cents per day, and the same mileage as allowed in Circuit Courts.

Pay of jurors.

SEC. 8. *Jurors*.—Jurors, per day, one dollar and fifty cents, besides mileage, at five cents per mile, going and returning; jurors in Trial Justices' Courts shall receive twenty-five cents for each case tried, and mileage as herein allowed to other jurors.

Fees of Circuit Solicitors.

SEC. 9. That Circuit Solicitors shall be allowed for their services, when not collected from the defendant, the following fees, and no others: For a trial before a jury in civil or criminal cases, or before referees, ten dollars; for all appeals from Trial Justices, trial by Court or jury, seven dollars and fifty cents.

Pay of physicians for post mortem examinations.

SEC. 10. That the following compensation shall hereafter be allowed to any physician who may be called in by the acting Coroner to make a *post mortem* examination, to wit: When death has resulted from external violence, and where no dissection is required, the sum of ten dollars; where dissection is necessary, and no interment has taken place, twenty dollars; for the same, after one or more days' interment, thirty dollars; for the same, when any chemical analysis is required, a sum not exceeding fifty dollars, together with the expenses of such analysis; and that in every case in which such a physician shall be called to any distance beyond one mile, he shall be allowed the mileage usually charged in his neighborhood: *Provided*, That in all cases in which chemical analysis shall be made, the physician who shall make the *post mortem* examination shall furnish to the County Commissioners of the County in which the said examination has been made, with his account, a full statement of such analysis: *Provided, further*, Every account presented for services for *post mortem* examination shall have the certificate of the Coroner, or Magistrate acting as Coroner, that the services were rendered.

Penalty for charging illegal fees.

SEC. 11. If any officer herein named shall charge any other fees or for any other services than those herein recited, such officer shall be

liable to forfeit, to the party injured, ten times the amount of excess of fees so improperly charged, to be recovered by suit in the Court of Common Pleas, or by rule, when the penalty may not exceed twenty dollars. In every case in which a Clerk of the Court of Common Pleas or Trial Justices' Courts shall issue an execution, he shall attach thereto a bill of each item of costs therein charged, and shall, on application of defendant in execution, tax all costs which accrue to the Sheriff for services on such execution.

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Clerk of Court to attach bill of costs.

Clerk may issue execution for his costs.

SEC. 12. Whenever a case may be settled or determined, at the mutual cost of parties, or discontinued by plaintiff, or the judgment shall be for defendant, any of the officers aforesaid shall have power to issue an execution for his costs, or the Clerk may issue for the whole, directed to the Sheriff, who is authorized and required to execute such process, as in other cases of execution delivered to him.

SEC. 13. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 9, 1874.

AN ACT TO ALTER AND AMEND SECTION THREE (3) OF CHAPTER NINETY, (90) OF TITLE FOUR (4) OF PART TWO (2) OF THE GENERAL STATUTES, RELATING TO THE PAYMENT OF DEBTS OF PERSONS DECEASED.

No. 520.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section three (3) of Chapter ninety (90) of Title four, (4,) Part two, (2,) of the General Statutes be amended by striking out the sixth (6) sub-division thereof, and by adding the words "therein contained" to the fifth sub-division, so that sub-division five (5) of said Section three (3) shall read as follows: "5. Bonds and debts, by specialty, and debts by simple contract, so that after the passage of this Act there shall be no distinction in the payments of the debts of persons deceased between bonds and debts by specialty and debts by simple contract." *Provided*, That this Act shall only apply to debts created after its passage.

Distinction in order of payment between bonds and debts by specialty, and debts by simple contract, abolished.

This provision applicable only to debts hereafter created.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 9, 1874.

AN ACT TO MAKE APPROPRIATION TO MEET THE ORDINARY EXPENSES OF THE STATE GOVERNMENT FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1873.

No. 521.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in Gen-

A. D. 1874.

Appropriation for salaries and contingent expenses.

Expenses of Governor's office.

Salary of Lieutenant Governor.

Expenses of Secretary of State's office.

Comptroller General's office.

Contingent fund for use of Attorney General.

Election expenses.

Appropriation for expenses of examining Auditors' and Treasurers' books.

Treasury Department.

Expenses of Adjutant General's office.

eral Assembly, and by the authority of the same, That the following sums be, and they are hereby, appropriated to the objects herein named out of the proceeds of the tax of one and one-fourth (1 $\frac{1}{4}$) mills levied in pursuance of Section 1 of an Act entitled "An Act to raise supplies for the fiscal year commencing November 1, 1873, and to alter and amend the law in relation to the collection of taxes," that is to say:

1. For the salary of the Governor, thirty-five hundred dollars; for the Contingent Fund of the Governor, twenty thousand dollars; for the salary of the Governor's Private Secretary, two thousand dollars; for the salary of the Governor's Messenger, five hundred dollars.

2. For the salary of the Lieutenant Governor, twenty-five hundred dollars.

3. For the salary of the Secretary of State, three thousand dollars; for the salary of the Clerk of the Secretary of State, one thousand eight hundred dollars; for the Contingent Fund of the Secretary of State, one thousand dollars.

4. For the salary of the Comptroller General, three thousand dollars; for the salary of the Clerk of the Comptroller General, eighteen hundred dollars; for extra services in the office of the Comptroller General, two thousand dollars; for the Contingent Fund of the Comptroller General, one thousand dollars; for the Civil Contingent Fund, fifteen thousand dollars, to be drawn on the warrant of the Comptroller General, on the application of the Attorney General, to defray expenses of litigation in his department; for Abel Robbins, pensioner, four hundred and eighty dollars, to be paid on the warrant of the Comptroller General; twenty-seven hundred dollars for the payment of Commissioners and Managers of general and special elections held in the various Counties of this State in the years 1871, 1872, 1873; and six hundred dollars, if so much be necessary, for the payment of expenses of the special election held in Beaufort County in 1871, said amounts to be drawn on the warrant of the Comptroller General; two thousand dollars, to be used by the Comptroller General, if so much be necessary, to be drawn upon his warrant, for the purpose of the inspection of all Auditors' and Treasurers' accounts by a competent party, subject to the direction of his office.

5. For the salary of the State Treasurer, twenty-five hundred dollars; for the salaries of the Chief Clerk and Bookkeeper of the State Treasurer, eighteen hundred dollars each; for the Contingent Fund of the State Treasurer, one thousand dollars.

6. For the salary of the Adjutant and Inspector General, twenty-five hundred dollars; for the salary of the Clerk of the Adjutant

and Inspector General, one thousand dollars; for the Contingent Fund of the Adjutant and Inspector General, one thousand dollars; for the contingent expenses of the State militia, five thousand dollars, to be used as follows, namely: Five hundred dollars for the Military Hall, in Charleston, to be drawn on the application of the Brigadier General First Brigade, Second Division of the National Guard, approved by the Major General commanding Second Division; five hundred dollars for the Armory of the First Brigade, Third Division of the National Guard, at Columbia, to be drawn on the application of the General commanding the Brigade, with the approval of the Governor; two hundred and fifty dollars for the Armory at Beaufort, to be drawn on the application of the Brigadier General of Second Brigade, Second Division, with the approval of the Major General commanding Division; five hundred dollars for the benefit of each properly organized regiment having at least five hundred men enrolled and ready for duty, to be drawn upon the application of the Colonel of the said regiment, which application shall be endorsed by the Brigadier and Major General commanding the Brigade and Division to which such regiment is attached, and countersigned by the Governor. The Comptroller General shall, upon the presentation of such application, properly approved and signed, draw his warrant upon the State Treasurer for the amount of the respective applications, endorsed by the Major General commanding the Division to which said regiment may be attached, and countersigned by the Adjutant and Inspector General.

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Military expenses.

7. For the salary of the State Superintendent of Education, twenty-five hundred dollars; for the salary of the Clerk of the State Superintendent of Education, one thousand dollars; for the Contingent Fund of the State Superintendent of Education, one thousand dollars; for mileage certificates of the State Board of Education, one thousand dollars, to be drawn on the order of the State Superintendent of Education.

Expenses of Superintendent of Education's office.

8. For the salary of the Attorney General, three thousand dollars; for the salary of the Attorney General's Clerk, one thousand dollars; for the Contingent Fund of the Attorney General, one thousand dollars.

Attorney General's office.

9. For the salary of the Chief Justice of the Supreme Court, four thousand dollars; for the salaries of the two Associate Justices, seven thousand dollars; for the Clerk of the Supreme Court, who shall perform the duties of Librarian of said Court, fifteen hundred dollars; for the State Reporter, fifteen hundred dollars; for an attendant upon the Library and rooms of the Supreme Court, five hundred dollars, (said attendant to be appointed by and

Expenses of Supreme Court

A. D. 1874.

removable at the pleasure of said Court;) for the purchase of books for the Supreme Court Library, one thousand dollars; for the contingent expenses of the Supreme Court, six hundred dollars, to be drawn on the order of the Chief Justice.

Salaries of
Circuit Judges
and Solicitors.

10. For the salaries of the eight Circuit Judges, twenty-eight thousand dollars; for the salary of the Judge of the Inferior Court of Charleston County, twenty-five hundred dollars; for the salaries of the eight Circuit Solicitors, eight thousand dollars.

State House
Keeper and
Watchmen.

11. For the salary of the Keeper of the State House and State Librarian, one thousand dollars; for the Contingent Fund of the State Librarian, five hundred dollars; for the salaries of the two Watchmen of the State House and Grounds, six hundred dollars each.

Salaries of
Superintendents of Asylum and Penitentiary.

12. For the salary of the Superintendent of the State Lunatic Asylum, twenty-five hundred dollars; for the salary of the Superintendent of the State Penitentiary, two thousand dollars.

Salaries of
County Auditors.

13. For the salaries of the County Auditors, thirty-two thousand five hundred dollars; for the Clerk to the Auditor of Charleston County, one thousand dollars.

Salaries of
School Commissioners.

14. For the salaries of the County School Commissioners, thirty-two thousand two hundred dollars.

Salaries of
Health Officers

15. For the Health Officers, five thousand one hundred dollars; for quarantine expenses, twenty-five hundred dollars; for the Keeper of the Lazaretto, four hundred dollars, to be drawn on the warrant of the Port Physician of Charleston.

Appropriations for public institutions.

SEC. 2. That the following sums be, and they are hereby, appropriated to the objects herein named out of the proceeds of the tax of one and one-fourth ($1\frac{1}{4}$) mills levied in pursuance of Section 2 of the Act recited in Section 1 hereof, that is to say:

Support and
construction of
Penitentiary.

1. For the construction and support of the State Penitentiary, fifty-one thousand five hundred dollars, fifteen hundred dollars of which shall be used for transportation and clothing of discharged convicts, to be paid on the warrant of the Comptroller General, on the application of the Superintendent, to be approved by the Board of Directors.

Support of
Lunatic Asylum.

2. For the support of the State Lunatic Asylum, sixty-five thousand dollars, fifteen thousand dollars of which, if so much be necessary, to be applied to the payment of salaries and wages of employees of said institution, to be paid on the warrant of the Comptroller General, on the application of the Board of Regents.

State Orphan
Asylum.

3. For the support of the State Orphan Asylum, twenty-five thousand dollars, to be paid in accordance with the law establishing the same.

Catawba Indians.

4. For the Catawba Indians, eight hundred dollars.

5. For the support of the Institution for the Education of the Deaf, Dumb and Blind, ten thousand dollars, to be paid on the warrant of the Comptroller General, upon the application of the Chairman and Secretary of the Board of Commissioners of the Deaf, Dumb and Blind: *Provided*, That no part of this sum shall be drawn until the institution heretofore established shall be re-opened and in operation.

A. D. 1874.
Institution of
Deaf, Dumb
and Blind.

6. For the support of the University of South Carolina, twenty-seven thousand eight hundred and fifty dollars, to be paid on the warrant of the Comptroller General, upon the application of the Secretary of the Board of Trustees of the University; for beneficiary scholarships in said University, six thousand four hundred dollars, to be paid in accordance with the law establishing the same; for the support of the Preparatory School of the University, twenty-five hundred dollars, to be paid on the warrant of the Comptroller General, upon the application of the Secretary of the Board of Trustees of the University; for repairs to buildings of South Carolina University, five thousand dollars, to be paid on the warrant of the President of the University, with the approval of the Trustees of the same, five hundred dollars of which shall be used for the repair of the Library and repairing the books.

South Caro-
lina Universi-
ty.

7. For Normal School purposes, six hundred dollars, to be paid on the warrant of the Comptroller General, upon the application of the Board of Regents of the Normal School.

State Normal
School.

SEC. 3. That the following sums be, and they are hereby, appropriated to the objects herein named out of the proceeds of the tax of one and one-half mills, levied pursuant to Section 4 of an Act entitled "An Act to raise supplies for the fiscal year commencing November 1, 1873, and to alter and amend the law in relation to the collection of taxes;" that is to say:

Appropriations for Legis-
lative Ex-
penses.

1. For the payment of the salary and mileage of the members of the General Assembly, one hundred and three thousand dollars, if so much be necessary, and the Clerks of the Senate and House of Representatives are hereby authorized and directed to furnish to each member of their respective bodies a pay certificate for the amount of his salary and per diem, as fixed by an Act entitled "An Act to regulate the pay of the members of the General Assembly," approved March 13, 1872.

Salary and
mileage of
members.

2. For the payment of the Clerks of the Engrossing and Enrolling Departments, Solicitors and Clerks of the Attorney General's office, and other expenses common to the two Houses, the sum of twelve thousand dollars, if so much be necessary, is hereby appropriated, to be drawn on the order of the President of the Senate, countersigned by the Speaker of the House of Representatives.

Joint expenses.

A. D. 1874.

Expenses of
Senate.

3. For the payment of the subordinate officers, employees and incidental expenses of the Senate, the sum of thirty thousand dollars is hereby appropriated, to be paid in such amounts as said body shall determine, upon the order of the President of the Senate, attested by the Clerk of the same.

Expenses of
House of Rep-
resentatives.

4. For the payment of the subordinate officers, employees, and incidental expenses of the House of Representatives, the sum of forty-five thousand dollars is hereby appropriated, to be paid in such amount as said body shall determine, upon the order of the Speaker of the House of Representatives, attested by the Clerk of the same.

Current
printing.

5. For the payment of expenses of current printing, twenty-five thousand dollars is hereby appropriated, to be paid on the order of the Clerks of the two Houses.

Expenses of
House and
Senate paya-
ble *pro rata*.

6. If the proceeds of the tax levied for payment of the expenses of the General Assembly shall be insufficient to pay in full the appropriations herein made, the State Treasurer is directed, after paying the salaries and mileage of the members, to divide the remainder *pro rata* between the House and Senate orders.

Appropriations
for public
schools.

SEC. 4—1. That the sum of three hundred thousand dollars is hereby appropriated for the support and maintenance of public schools out of the proceeds of the tax of two (2) mills levied in pursuance of Section 3 of the Act before recited in Section 1 hereof.

School funds,
how to be ap-
portioned.

2. That the sum realized from said levy in excess of three hundred thousand dollars is hereby appropriated to the payment of teachers' claims for the years 1871 and 1872: *Provided*, That the said excess be apportioned by the State Superintendent of Education amongst the several Counties of the State as hereinafter provided, and be paid *pro rata* upon teachers' claims in said Counties; and the State Superintendent of Education is hereby authorized and directed to apportion the said appropriations upon the basis of school attendance in the several Counties of the State for the scholastic year ending June 30, 1873; and the School Commissioners of the several Counties are hereby instructed to apportion the school funds of their respective Counties upon the basis of school attendance in the various school districts of their said Counties as aforesaid.

Expenses of
current and
permanent
printing.

SEC. 5—1. For the payment of the balance due the Republican Printing Company, on contract for current and permanent printing of the present session of the General Assembly, fifty-four thousand dollars, to be paid in accordance with the provisions of the Act under which said contract was awarded to the said company.

Publishing
laws.

2. For payment of expenses of publishing the laws of the extra and regular sessions of the General Assembly, twenty-five thousand dollars, out of the proceeds from phosphate royalty, to be paid on the order of the Clerks of the two Houses: *Provided*, That no

contract shall be made with any paper other than those designated as the official papers of the State.

A. D. 1874.

SEC. 6. For the payment of the July interest upon the Consolidation Bonds of the State, such amount as may be necessary of the proceeds of the one (1) mill tax levied in pursuance of Section 7 of the Act recited in Section 1 hereof, the surplus, if any, after paying said interest, to be applied to the extinguishment of the principal of said debt in accordance with the provisions of an Act entitled "An Act to reduce the volume of the public debt, and to provide for the payment of the same," approved December 22, 1873.

Interest on consolidation bonds.

SEC. 7. That the moneys herein appropriated as Contingent Funds shall be drawn by the heads of each department, respectively, and they shall make to the General Assembly, at its next session, on or before December 1, a detailed statement of the disposition made thereof: *Provided*, That no officer authorized to make contracts or draw funds from these appropriations shall expend, or make a contract expending, more money than has been appropriated for such purpose by this Act.

Contingent funds, by whom to be drawn.

Reports of disposition thereof.

SEC. 8. The money appropriated in Section 2 of this Act shall not be paid out except for expenses incurred during the fiscal year commencing November 1st, 1873, and ending October 31st, 1874, and it is here made a felony for any officer to pay out any portion of the same otherwise than herein provided for, and, upon conviction thereof, shall be punished by fine and imprisonment, at the discretion of the Court, not to exceed two years' imprisonment: *Provided*, That fifteen thousand dollars, if so much be necessary, of the amount appropriated to the Lunatic Asylum may be applied to the payment of past due indebtedness for services and wages of employees prior to the fiscal year ending November, 1874.

Penalty for paying appropriations herein made on expenses of past years.

Proviso.

SEC. 9. That for the payment of Contingent Accounts, passed at the special and regular sessions of 1873, the sum of twenty-five thousand dollars be, and the same is hereby, appropriated, to be paid on the orders of the presiding officers, attested by the Clerks of the two Houses respectively.

Contingent accounts of House and Senate.

Approved March 9, 1874.

AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF DUE WEST, IN THE COUNTY OF ABBEVILLE. No. 522.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States and of this State, who now

A. D. 1874.
 Town of Due
 West incorpo-
 rated.

Corporate
 limits.

Provisions of
 charter of town
 of Ninety-Six
 to extend to
 Due West.

Proviso rela-
 tive to Erskine
 College.

Elections—
 time of hold-
 ing.

are, or hereafter may be, inhabitants of the town of Due West, in the County of Abbeville, shall be deemed, and are hereby declared, a body politic and corporate. And said town shall be called and known by the name of Due West, and its limits shall be deemed and held to extend three-quarters of a mile in each direction along the main street, from the Associate Reform Church as a centre, and a half-mile on each side of said main street, so as to include an area of one and a half miles in length and one mile in width.

SEC. 2. That the provisions of the charter of the town of Ninety-Six, in Abbeville County, incorporated by an Act entitled "An Act to incorporate the town of Ninety-Six," approved March 13, 1872, be, and the same are hereby, held and declared to extend to the town of Due West: *Provided*, That Section 12 of said Act shall not be made of force and effect, as to the town of Due West, in so far as it conflicts with the charter of Erskine College, approved March 12, 1872.

SEC. 3. The first election for Intendant and Wardens under this Act shall be held on the first Tuesday in April, 1874, ten days' notice of said election having been previously given, and annually thereafter as provided in said charter of the town of Ninety-Six.

Approved March 9, 1874.

NO. 523. AN ACT TO INCORPORATE THE TOWN OF PORT ROYAL, IN THE COUNTY OF BEAUFORT, AND STATE OF SOUTH CAROLINA.

Corporators.

Corporate
 limits.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the State of South Carolina, who are now, or may hereafter become, inhabitants of the town of Port Royal, in the County of Beaufort, shall be deemed, and are hereby declared, a body politic and corporate, and said town shall be known and called by the name of Port Royal; shall have a common seal, may sue and be sued, implead and be impleaded, in any Court of law or equity in this State, and may purchase, hold, possess and enjoy to them and their successors, in perpetuity, or for any term of years, any estate, real, personal or mixed; and its limits shall be deemed and held to extend as follows: Its north boundary shall extend east and west on the line of the north side of Twenty-eighth street, (as per map and survey of E. G. Nichols;) on the east side, to high water mark on opposite shore of Beaufort River; and on west side, to high water mark on opposite shore on Battery River; and

on south side, to high water mark on opposite shore of Beaufort and Battery Rivers.

A. D. 1874.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the second Wednesday in January, on which, as well as on the second Wednesday in January of every year thereafter, an election shall be held for Intendant and four Wardens, who shall be citizens of the State of South Carolina, and shall have been resident in said town for sixty days immediately preceding said election, at such place in said town as the Intendant and Wardens shall designate, ten days' public notice being previously given; that John McFall, Fred. Brown and J. W. King be, and they are hereby, appointed a Board of Managers to hold the first election under this Act; that all male inhabitants of said town of the age of twenty-one years, who have resided therein sixty days previous to said election, shall be entitled to vote for said Intendant and Wardens; and the election shall be held from eight in the morning until five o'clock in the afternoon, when the polls shall be closed, and the Managers shall publicly count the votes and proclaim the election, and give notice thereof in writing to the persons elected; and that the Intendant and Wardens for the time being shall appoint the Managers to hold the ensuing election at least twenty days previous to the election; that the Intendant and Wardens, before entering upon the duties of their offices, shall take the following oath, to be administered to the officers first elected by some officer duly authorized to administer an oath, by the out-going Intendant and Wardens thereafter elected, the oath prescribed by the Constitution of the State, and also the following oath, to wit: "As Intendant (or Warden) of Port Royal, I will equally and impartially, to the best of my skill and ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my appointment: So help me God." And that the said Intendant and any two or more Wardens shall constitute a quorum, or in absence of the Intendant, three Wardens or more shall constitute a quorum.

Officers.

Managers of Election.

Oath of office.

SEC. 3. That in case a vacancy should occur in the office of Intendant or of any of the Wardens by death, resignation, or removal from the State or town, or from any other cause, an election shall be held by the appointment of the Intendant and Warden, or Wardens, as the case may be, ten days' notice thereof, as aforesaid, being given; and in case of sickness or temporary absence of the Intendant, the Wardens, forming a Council, shall be empowered to elect one of their number to act as Intendant during such sickness or absence.

Vacancies.

D. 1874.

Certain officers
to be ap-
pointed.

SEC. 4. That the Town Council shall have the power to appoint a Port Warden, Harbor Master, Public Surveyor and Inspectors, and, by ordinance, define their duties, and, by ordinance, regulate the distance which wharves may be built into the rivers, not inconsistent with the Constitution of the State and the laws of the land.

Town Council,
duties of.

SEC. 5. That the Town Council of Port Royal be, and they are hereby, authorized to establish a guard or police for the better security and regulation of said town, and to pass such ordinances as they may deem expedient, to define the duties, fix the compensation and impose fines and penalties for neglect or improper discharge of duties of said guard, and, generally, to perform all acts necessary and proper to effectuate the intention of this Act, and make and establish all rules and orders relative to said guard not inconsistent with the laws of the State; that the Intendant, duly elected and qualified, shall, during his term of service, be vested with all the powers of Trial Justices and Justices of the Peace in this State, in matters civil and criminal, within the limits of said town, except for the trial of small and mean causes; and that the Intendant shall, as often as occasion may require, summon the Wardens to meet in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known by the name of the Town Council of the town of Port Royal; and they and their successors in office shall have a common seal, and shall

Powers and
privileges.

have power to appoint, from time to time, such and so many proper persons to act as Marshals or Constables as they shall deem expedient and proper, which officers shall have all powers, privileges and emoluments, and be subject to all the duties, penalties and regulations, provided by the laws of this State for the office of Constable; and the Intendant and Wardens, in Council, shall have power and authority, under their corporate seal, to ordain and establish all such rules and by-laws and ordinances respecting the streets, ways, public wells and springs, or fountains of water, markets and police of said town of Port Royal, and for preserving peace, health and order and good government within the same, as they may deem expedient and proper, not inconsistent with or repugnant to the laws of the State; and all such by-laws and ordinances shall, at all times, be subject to revisal or repeal by the General Assembly of the State; and the said Council may affix fines for offenses against such by-laws and ordinances, and appropriate the same to the use of said corporation; but no fine shall exceed thirty dollars, and when fines shall exceed twenty dollars, the same to be collected as fines and penalties in Trial Justices' Courts.

Fines.

SEC. 6. That the said Town Council shall have power to impose an annual tax upon all real and personal property within the limits of said town: *Provided*, Said tax does not exceed the sum of fifty cents on the one hundred dollars: *And provided, further*, That nothing herein contained shall be so construed as to prevent the said Town Council from imposing licenses for the sale of liquor, either by wholesale or retail, or for the keeping of billiard rooms, bowling alleys or other places of public amusement.

A. D. 1874.

Taxes.

Licenses.

SEC. 7. That in order to secure the free expression of all persons qualified to vote, that the Managers of Election shall open their polling precincts for the registration of voters, as per Chapter XI, Sections third, fourth and fifth, of Municipal Election, of the Revised Statutes of South Carolina, for the year one thousand eight hundred and seventy-three, and that the pay of said Managers shall be at the rate of one dollar per day.

Elections.

SEC. 8. That this Act shall be deemed a public Act in all Courts of justice, and shall continue of force until repealed.

Approved March 9, 1874.

AN ACT TO RELIEVE THE BONDSMEN OF THE LATE COUNTY
TREASURER OF GREENVILLE COUNTY, JAMES M. ALLEN. No. 524.

Whereas James M. Allen, late County Treasurer of Greenville County, now a fugitive, expended the moneys collected by him, for State and County purposes, for the purchase of the following claims against the State and the County of Greenville, to wit: One Senate certificate, dated January 29, 1873, drawn in favor of S. A. Swails, for seven hundred and sixty dollars (\$760); one Senate certificate, dated February 26, 1873, drawn in favor of J. M. Bolan, for one hundred dollars (\$100); one Senate certificate, dated February 26, 1873, drawn in favor of J. M. Bolan, for three hundred dollars (\$300); one Senate certificate, dated January 29, 1873, drawn in favor of J. B. Byas, for fifty-nine (59) dollars; one Senate certificate, dated March 6, 1872, drawn in favor of J. M. Allen, for sixteen hundred and fifty dollars (\$1,650); one Senate certificate, dated March 15, 1872, drawn in favor of James Kinard, for fifty-six dollars (\$56); one Senate certificate, dated January 30, 1872, drawn in favor of James Kinard, for two hundred and fifty-eight dollars (\$258); one House certificate, dated February 16, 1872, drawn in favor of Henry Daniels, for twenty-two 75-100 dollars (\$22.75); one House certificate, dated March 13, 1872, drawn in favor of Edward Snead, for one hundred and eighty-one 50-100 dollars

Preamble.

A. D. 1874.

(§181.50); one House certificate, dated March 13, 1872, drawn in favor of D. G. Robertson, for six hundred and forty-two dollars (§642); one House certificate, dated March 13, 1872, drawn in favor of Benjamin Arnold, for seventy-eight dollars (§78); one House certificate, dated February 16, 1872, drawn in favor of Benjamin Arnold, for one hundred and seven 70-100 dollars (§107.70); one House certificate, dated February 26, 1873, drawn in favor of E. M. Byten, for three hundred and seventy-five dollars (§375); one joint certificate, dated February 26, 1873, drawn in favor of J. S. Simons, for four hundred and twenty-seven dollars (§427); one joint certificate, dated January 29, 1873, drawn in favor of J. Edwards, for three hundred and ninety dollars (§390); one joint certificate, dated January 29, 1873, drawn in favor of J. A. Beattie, for sixty-nine dollars (§69); one joint certificate, dated February 26, 1873, drawn in favor of J. B. Byers, for one hundred and fifty dollars (§150); one joint certificate, dated February 26, 1873, drawn in favor of W. J. Finley, for five hundred and fifty-eight dollars (§558); one House certificate, dated February 8, 1873, drawn in favor of J. C. Holmes, for two thousand and fifty-one dollars (§2,051); one House certificate, drawn in favor of John Williams, dated January 17, 1873, for three hundred and thirty-five dollars (§335); one House certificate, dated January 17, 1873, drawn in favor of John Williams, for thirteen hundred and twenty-five 10-100 dollars (§1,325.10); printing account of Greenville Enterprise, dated May 3, 1872, for six hundred and eighty-six 45-100 dollars (§686.45); Treasury note, drawn in favor of Timothy Hurley, dated May 30, 1872, for six hundred and forty-two dollars (§642); and teachers' and school claims, amounting to eleven thousand seven hundred and sixty-six 90-100 dollars (§11,766.90); also, claims due to said James M. Allen, in possession of the State, under attachment of the Attorney General, amounting to fifteen hundred dollars (§1,500); besides numerous other claims, also in the hands of the Attorney General and the County Commissioners of Greenville County; all of which above recited claims are now in possession of the State, under attachment made by the Attorney General and the County Commissioners of Greenville County; now, therefore,

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Wilson Cook, James Runion, M. K. Robertson, M. Sullivan, W. E. Earle and Absalom Blythe, bondsmen and sureties of the said James M. Allen, late County Treasurer of Greenville County, be, and they are hereby, relieved from all responsibility to the State or said County of Green-

Sureties relieved from responsibility.

ville, or to any person or persons whomsoever, by reason of their endorsements on said Allen's official bond: *Provided*, That nothing herein contained shall be so construed as to relieve the said James M. Allen from liability on the said bond, or to dissolve any attachment which may have been levied upon his property under suits by the County Commissioners of Greenville County, and the State by the Attorney General: *And provided, further*, That the fund arising from the sale of property attached in Greenville County shall be applied to his default to said County.

A. D. 1874.

Property
levied upon
not affected by
this Act.

Approved March 11, 1874.

AN ACT TO VALIDATE ALL PAYMENTS MADE BY THE COUNTY No. 525.
TREASURER OF EDGEFIELD COUNTY UNDER AND PURSUANT TO THE PROVISIONS OF A JOINT RESOLUTION ENTITLED "A JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF EDGEFIELD COUNTY TO LEVY A SPECIAL TAX OF THREE MILLS, TO BE LEVIED AT THE TIME OF THE GENERAL TAX," AND TO DECLARE THE INTENT OF SAID JOINT RESOLUTION.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the payments made by the County Treasurer of Edgefield County under and pursuant to the provisions of a Joint Resolution entitled "A Joint Resolution to authorize the County Commissioners of Edgefield County to levy a special tax of three mills, to be levied at the time of the general tax," approved December 22d, 1873, claims which had been audited, allowed, and checks or orders for the same issued by a former Board of County Commissioners of said County, be, and the same are hereby, validated and declared to have been duly and lawfully made, in conformity with the true intent and meaning of the aforesaid Joint Resolution.

Payments
made by
County Treasurer
validated.

SEC. 2. That it is hereby declared to be the true intent and meaning of the said Joint Resolution that all past due claims which have heretofore been audited and allowed, and for which checks or orders of the County Commissioners have been issued prior to the passage of the said Joint Resolution, shall be paid in full out of the special tax levied under the provisions of the said Joint Resolution, as the proceeds of such tax shall come into the hands of the County Treasurer of said County, without requiring such past due claims to be re-audited.

Claims not to
be re-audited.

Approved March 12, 1874.

A. D. 1874. **AN ACT TO REPEAL AN ACT TO RE-CHARTER THE CYPRESS CAUSEWAY.**
 No. 526.

Charter of
Cypress Cause-
way repealed.

County Com-
missioners to
repair same.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act to re-charter the Cypress Causeway, approved March 7, 1871, be, and the same is hereby, repealed.

SEC. 2. That the County Commissioners of Charleston and Colleton Counties be required to repair the same.

Approved March 14, 1874.

No. 527. **AN ACT TO INCORPORATE THE EBENEZER BAPTIST CHURCH, OF GEORGETOWN COUNTY.**

Corporators.

Corporate
name.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James Small, Cain Rutledge, Francis Chisolm, and their associates and successors, are hereby incorporated and declared to be a body corporate and politic, under the name and style of the Ebenezer Baptist Church, of Georgetown County, and by such name and style shall have succession of officers and members, and shall have a common seal, with power to alter the same at will.

Powers and
privileges.

SEC. 2. That said corporation shall have power to make such by-laws, not repugnant to the laws of the land, as they may deem expedient and necessary, and to sue and be sued in any Court in this State; and to have, hold, receive and possess any real or personal property, not exceeding twenty-five thousand dollars, and to sell, convey and dispose of the same.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force for the term of fourteen years from its passage.

Approved March 14, 1874.

No. 528. **AN ACT TO CONSTITUTE THE COUNTY COMMISSIONERS OF ANDERSON COUNTY COMMISSIONERS OF HEALTH AND DRAINAGE, AND TO DEFINE THEIR POWERS AND DUTIES THEREIN.**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General

Assembly, and by the authority of the same, That the County Commissioners of Anderson County be, and they are hereby, authorized, in addition to the duties now imposed on them by law, to act as Commissioners of Health and Drainage, and they are hereby empowered, as such Commissioners of Health and Drainage, to act as follows, to wit:

A. D. 1874.

County Commissioners to act as Commissioners of Health and Drainage.

County Commissioners empowered to hear cases.

1. That in all cases where a land owner desires to drain his lands and is refused a necessary outlet upon or through adjoining lands, the County Commissioners are hereby empowered to hear the case on petition and personal service, and to decide and fix either compensation on the one side or assessment upon the other; and their decision in such cases shall have the force of a legal judgment.

County Commissioners to make contracts for drainage and impose assessments therefor.

2. That in cases where one-third of the land owners upon any water course, for a distance of not less than five miles up and down the stream in said County, shall desire to drain the lands upon such water course, the County Commissioners shall, upon petition, personal service and the testimony of one or more competent engineers, be empowered to make contracts for such drainage, and impose the proper assessment upon the various properties benefited by the same, and the said assessments shall have the force of a legal judgment: *Provided*, That in both above mentioned cases, should any party feel aggrieved by the decision or action of the County Commissioners in the premises, it shall be lawful for him to appeal to the Judge of the Circuit at the term of the Court next ensuing, whose decision in the matter shall be final.

Proviso.

3. That in cases where the general health of the County is seriously affected by the condition of any water course, the County Commissioners shall, upon petition and proof of at least one-third of the land owners upon such water course, or of one-third of the land owners within two miles on either side of such water course, and not less than five miles up and down the stream—which proof shall contain the affidavits of two physicians, one of whom shall practice in the neighborhood—make an estimate of the cost and proceed to drain such water course as in the case heretofore provided for: *Provided, however*, That if, in the opinion of said County Commissioners, the cost of such drainage imposes too heavy an assessment upon the individual land owners upon such water course, they shall make a report, in writing, of their estimate and opinion to the Judge of the Circuit Court at the next ensuing term thereof, and if he approve of such report and estimate, which approval shall be in writing, the County Commissioners shall contract for such drainage, and, after levying a fair assessment upon all such property, they shall charge the surplus of the cost of such drainage to

Where the health of County is affected by any water course, County Commissioners may have same drained.

Proviso.

A. D. 1874.

the County, to be carried into their estimate for the County expenses for the next ensuing year.

All mill dams
to be furnished
with flood
gates.

4. That in cases where the general health of the County or neighborhood be seriously affected by the condition of any mill dam, the County Commissioners of said County shall have the power to remove the cause of such nuisance, provided a fair compensation be paid to the owner thereof, the same to be assessed upon the property of those benefited by the removal of such nuisance; and shall further regulate the condition of all mill dams in said County by requiring the owners thereof to furnish such mill dams with a substantial flood gate, if, in their judgment, the health of the neighborhood or the drainage of the land above the dams require a flood gate to be placed in the dam, to be opened at and kept open for such times as the said County Commissioners shall direct.

Approved March 14, 1874.

No. 529. AN ACT TO RENEW THE CHARTER OF A BRIDGE ACROSS THE SENECA RIVER, IN ANDERSON COUNTY, KNOWN AS EARLE'S BRIDGE.

Bridge over
Seneca River
re-chartered.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same; That the bridge across the Seneca River, at or near Shallow Ford, in Anderson County, be, and the same is hereby, re-chartered and vested in Sallie F. Earle and Annie W. Earle, their heirs and assigns, for the term of fourteen years, with the same privileges, rights, franchises and emoluments granted under its former charter: *Provided*, That nothing herein contained shall at any time prevent the County Commissioners from erecting a free bridge across said stream at any point they may deem proper.

Proviso.

Approved March 14, 1874.

No. 530. AN ACT TO INCORPORATE THE BOYKIN METHODIST EPISCOPAL CHURCH, IN MARLBORO COUNTY, SOUTH CAROLINA.

Corporate
name.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the officers and members of said church, in Marlboro County, be, and the same are hereby, incorporated and declared to be a body corporate, by

the name and style of the Boykin Methodist Episcopal Church, and by that name and style shall have succession of officers and members, and shall have a common seal.

A. D. 1874.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any property not exceeding in value the sum of twenty thousand dollars, and to sell, convey and dispose of the same; and by its corporate name may sue and be sued in any Court of this State; and to make such rules and by-laws, not repugnant to law, as it may consider necessary and expedient, and as shall, from time to time, be agreed upon by its members, or by a majority of them.

Powers and privileges.

SEC. 3. That the sale of intoxicating liquors be, and the same is hereby, expressly prohibited within a radius of two miles every way from said church; that no license from any authority whatever shall warrant such sale; and whoever shall be found guilty of a violation of this Act shall be deemed guilty of a misdemeanor, and shall be fined in a sum not less than one hundred nor more than five hundred dollars, and be imprisoned in the discretion of the Court.

Intoxicating liquors not to be sold within two miles of church.

SEC. 4. That this Act shall be deemed and held to be a public Act, and shall continue in force until repealed.

Approved March 14, 1874.

AN ACT TO INCORPORATE THE MECHANICAL FAIR ASSOCIATION, No. 531.
OF DARLINGTON COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Manuel Weston, Sr., Adam Bristow, Alfred Robinson, J. A. Smith, Samuel Keith, Dallas Dargan, Edgar Harony, and their successors in office and associates, be, and they are hereby, declared a body politic and corporate, under the name and style of the Mechanical Fair Association, of Darlington County, with a capital stock not exceeding twenty-five thousand dollars, in shares of twenty-five dollars each.

Corporators.

Corporate name.

SEC. 2. That said corporation is hereby empowered to have and to use a common seal, and the same to alter at pleasure; to hold real and personal property, whether acquired by gift, devise or purchase, and the same (or any part thereof) to alien, sell or transfer; to adopt such constitution and pass such by-laws, not inconsistent with the laws of the land, as may, in the opinion of the members of said corporation, appear best calculated to promote the aims and

Powers and privileges.

A. D. 1874.

Proviso.

objects thereof; to sue and be sued, plead and be impleaded, in any Court of competent jurisdiction, and to have all other rights, privileges and immunities that are now secured by law to corporate bodies: *Provided*, That the real and personal property of each corporator shall be liable for the debts of said corporation or assigns in any amount not exceeding the par value of the stock held by him.

SEC. 3. That this Act be deemed a public Act, and shall have force until repealed.

Approved March 14, 1874.

No. 532. AN ACT TO INCORPORATE THE SOUTH CAROLINA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George F. McIntyre, W. N. Taft, J. E. Loeb, S. B. Johnson, S. J. Lee, E. W. M. Mackey, Henry Cardozo, Josephus Woodruff, William H. Jones, Jr., H. C. Corwin, D. A. Miller, A. O. Jones, C. C. Bowen, C. H. Burhans, Frank Roach, Lewis Elias, W. V. Sarvis, B. F. Whittemore, T. C. Andrews, R. A. Sisson, John A. Barre, A. W. St. Amand, C. Smith, John Wilson, W. E. Holcombe, C. D. Hayne, W. B. Nash, W. E. Johnson, C. P. Pelham, Jr., J. C. Hope, Sr., and Timothy Hurley, all of the State of South Carolina, and such other persons as may be associated with them, in conformity to this Act, and their successors, are hereby constituted and created a body corporate, by the name of the South Carolina Society for the Prevention of Cruelty to Animals.

Corporate name.

Officers.

SEC. 2. The officers of the said corporation shall consist of a President, five Vice Presidents, one Secretary, one Treasurer, an Executive Committee of fifteen members, and such other officers as shall from time to time seem necessary to this society.

SEC. 3. The foregoing officers shall be chosen from among the members of the society.

SEC. 4. A library may be created for the use of the society.

Corporate powers.

SEC. 5. The said society, for the fixing the terms of admission of its members, for the government of the same, for the election, changing and altering the officers above named, and for the general regulation and management of its affairs, shall have power to form a code of by-laws, not inconsistent with the laws of this State or of the United States, which code, when formed and adopted at a

regular meeting, shall, until modified or rescinded, be equally binding as this Act upon the society, its officers and members.

A. D. 1874.

SEC. 6. This society shall not, in its corporate capacity, hold real estate exceeding in value at any one time the sum of twenty-five thousand dollars.

SEC. 7. The police force of the city of Charleston, as well as of all other places where police organizations exist in the State, shall, as occasion may require, aid the society, its members or agents, in the enforcement of all laws which are now or may hereafter be enacted for the protection of dumb animals.

Police force of cities to aid society in protection of animals.

SEC. 8. One-half of the fines collected through the instrumentality of this society, or of its agents, for violations of such laws, shall accrue to the benefit of said society.

Fines.

SEC. 9. The provisions of this Act shall be general within the boundaries of the State.

SEC. 10. This Act shall take effect immediately upon its passage.

Approved March 14, 1874.

AN ACT TO INCORPORATE THE ORANGEBURG MANUFACTURING COMPANY. No. 533.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William F. Barton, F. W. Fairy, John S. Bowman, Samuel Dibble, T. C. Andrews, J. L. Moorer, P. Doyle, John H. Livingston, John A. Hamilton, A. D. Frederick, F. H. W. Briggman, W. A. Scovill, George Boliver, Harpin Riggs, W. A. Merony, T. D. Wolfe, T. K. Legare, L. R. Beckwith, James F. Izlar, J. Felder Myers, T. H. Zimmerman, George H. Cornelson, and their associates and successors, are hereby made and created a body politic and corporate in law, by the name of the Orangeburg Manufacturing Company, for the purpose of manufacturing cotton, barrels, staves, tubs, carriages and wagon materials, at such places in said County, and erect such mills and other works as may be required to carry on such branches of manufacture. And they shall have power to raise, by subscription, in shares of one hundred dollars each, a capital of two hundred thousand dollars, with the privilege of increasing the said subscription to a capital of five hundred thousand dollars.

Corporators.

Corporate name.

Capital stock.

SEC. 2. That the said corporation shall not go into operation until twenty-five thousand dollars of the capital stock shall be paid in in gold or silver or United States Treasury notes.

When to go into operation.

A. D. 1874. **SEC. 3.** That all the rights, powers, privileges and franchises granted to the Vacluse Manufacturing Company by an Act of the General Assembly of the State of South Carolina, approved February 26, 1869, be, and they are hereby, vested in and conferred upon the said Orangeburg Manufacturing Company. And the said Manufacturing Company shall have power and authority to issue bonds to an amount equal to one-half of their capital subscribed, the same to be redeemable at such time, not exceeding twenty (20) years, as may be agreed upon by the company, and to bear interest at seven per cent. per annum, payable semi-annually.

Powers and privileges.
May issue bonds.

SEC. 4. That this Act shall be deemed a public Act, and remain in force for the term of thirty years.

Approved March 14, 1874.

No. 534. AN ACT TO RENEW AND EXTEND THE CHARTER OF THE SHILOH METHODIST EPISCOPAL CHURCH, SOUTH, IN ABBEVILLE COUNTY, S. C.

Shiloh Methodist Church, charter extended.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter heretofore granted to the Shiloh Methodist Episcopal Church, South, in Abbeville County, South Carolina, be, and the same is hereby, extended and continued until repealed, with all the rights, powers and privileges heretofore granted.

Approved March 14, 1874.

No. 535. AN ACT TO INCORPORATE THE PIPE CREEK BAPTIST CHURCH, OF LAWTONVILLE, BEAUFORT COUNTY, S. C.

Corporators.

Corporate name.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. A. Lawton, George Rhodes, E. H. Peoples, John Lawton, R. H. Chovin, Joseph V. Morrison, and all other persons who now are, or who hereafter shall or may become, members of the said church, shall be, and they are hereby declared to be, a body corporate, by the name and style of the "Pipe Creek Baptist Church, of Lawtonville, Beaufort County, South Carolina," and by their said name shall have succession of officers and members, and have a common seal.

SEC. 2. That the said corporation shall have power to purchase, receive and possess any real or personal property, not exceeding in value the sum of twenty thousand dollars, or to sell the same; and by its corporate name to sue and be sued, plead and be impleaded, in any Court of this State; and to make such rules and by-laws, not repugnant to law, as may be thought necessary and expedient.

A. D. 1874.
Powers and
privileges.

SEC. 3. This Act shall be taken and deemed a public Act, and shall continue in force for a term of twenty years.

Approved March 14, 1874.

AN ACT TO INCORPORATE THE TOWN OF WOODRUFF, IN THE COUNTY OF SPARTANBURG. No. 536.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State who have resided thirty days in the town of Woodruff shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Woodruff, and its corporate limits shall extend one mile from the point where the Buncombe public road crosses the Georgia Road in a direction due north, east, south and west, and shall include a square formed upon the extremities of lines so drawn.

Town of Wood-
ruff incorpo-
rated.

Corporate
limits.

SEC. 2. That said town shall be governed by an Intendant and six Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of the said town on the second Monday in May, 1874, and every year thereafter on the second Monday in May, ten days' public notice thereof being previously given, and that all the male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens, and A. B. Woodruff, Dr. D. D. Westmoreland, N. B. Davis, A. D. Chamblin and Jesse Leatherwood, or a majority of them, are hereby appointed Managers of the first election to be held for Intendant and Wardens aforesaid.

Officers.

Elections,
when to be
held.

Managers of
Election.

SEC. 3. That said corporation shall have the same powers and privileges, and be subject in every respect to the provisions of the

Provisions of
charter of town
of Ninety-Six
to apply.

A. D. 1874.

charter granted to the town of Ninety-Six, by an Act entitled "An Act to incorporate the town of Ninety-Six," approved March 13, 1872.

SEC. 4. This Act shall be deemed a public Act, and continue in force until repealed.

Approved March 14, 1874.

No. 537. AN ACT TO AUTHORIZE AND EMPOWER THE INTENDANT AND WARDENS OF THE TOWN OF YORKVILLE TO OPEN CERTAIN STREETS IN SAID TOWN.

Officers of town
of Yorkville to
open streets.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Intendant and Wardens of the town of Yorkville be, and they are hereby, authorized and empowered to open such new streets in said town as in their judgment will best promote the interest and convenience of the citizens thereof, upon the same terms and conditions and in the same manner as is now provided by law for the opening of public highways by the County Commissioners of Counties.

Approved March 14, 1874.

No. 538. AN ACT TO INCORPORATE THE EDGEFIELD BRANCH RAILROAD COMPANY.

Corporators.

Corporate
name.

Subscriptions
to be received
to capital
stock.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John L. Addison, Lawrence Cain, John C. Sheppard, Paris Simkins, O. F. Cheatham, E. Keese, George A. Morgan, and their successors in office, be, and they are hereby, constituted a body corporate and politic, under the name and style of the Edgefield Branch Railroad Company, with all the rights, powers and privileges incident and pertaining to similar corporations.

SEC. 2. That the persons herein above named, or a majority of them, shall have power to open books at such time after the passage of this Act, and at such places, as they may deem proper, for subscription to the capital stock of a railroad to be constructed from Edgefield Court House to some point on the Charlotte, Columbia and Augusta Railroad, to be determined by said company, and

they shall also have power to appoint one or more agents to canvass for and receive subscriptions to said capital stock.

A. D. 1874.

SEC. 3. That the shares of said capital stock shall be twenty-five dollars each, and they may be subscribed to be paid in money, land or labor.

Shares, value,
how to be paid
for.

SEC. 4. That whenever the sum of twenty thousand dollars shall have been subscribed to the capital stock of said railroad, it shall be the duty of the corporators herein above named, or a majority of them, to call a meeting of the stockholders at Edgefield Court House, after thirty days' public notice, to organize said company; and said stockholders shall then and thereafter have power to organize the said company by electing from among their number ten Directors, who shall, immediately after their election, choose one of their number for President of said company; and the term of office of the President and Directors of said company shall be one year, and until their successors shall thereafter be elected.

Manner of
organization.

SEC. 5. That the capital stock of said company shall not exceed one hundred thousand dollars, and no stockholder shall incur any liability by reason of his being such stockholder beyond the amount of his stock in said company.

Capital stock,
amount of.

SEC. 6. That the capital stock shall be paid in at such times and in such installments as may be determined upon by said company after its organization; but individuals may make their subscriptions payable in such installments as may be agreed upon between themselves and the corporators herein above named, or other agents of said company.

Capital stock,
how to be paid
in.

SEC. 7. That the townships of Wise, Pickens, Moss, Blocker and Grant, and any other township in Edgefield County, are hereby authorized to issue bonds to aid in the construction of said railroad to an amount not exceeding five per cent. of the assessed valuation of real and personal property of any one township.

Certain town-
ships to issue
bonds.

SEC. 8. That upon the request in writing of ten citizens in any of said townships, the corporators hereip above named, or a majority of them, shall call a meeting of all the voters in said township at some central place in said township, or at Edgefield Court House for the townships of Pickens and Wise, to determine whether said townships will subscribe to the capital stock of said company, giving at least twenty days' public notice of the time and place of said meeting.

Manner
of determining
whether sub-
scriptions shall
be made.

SEC. 9. That at any such meeting the voters shall organize the meeting by electing a chairman and clerk, and the proceedings shall all be reduced to writing, read over and approved by said meeting, and signed and certified by the chairman and clerk of the meeting.

Meetings—
how to be or-
ganized.

A. D. 1874.

Proviso.

SEC. 10. That any meeting of the voters of any of said townships called and organized as above provided shall be authorized to subscribe to the capital stock of said company: *Provided*, That two-thirds of the voters present at such meeting vote for the resolution authorizing said subscription.

Bonds—what amounts to be issued in.

SEC. 11. That if any township shall so subscribe to the capital stock of said company, the said bonds shall be issued in amounts from \$100 to \$500, and be made payable in ten years from the date of said meeting, with interest at seven per cent., payable semi-annually, on coupons to be attached to said bonds, and said bonds shall be signed by the chairman and clerk of the meeting authorizing their issue.

Bonds, registered list of, to be kept.

SEC. 12. That the chairman and clerk of said meeting shall file a certified copy of the proceedings authorizing the issue of said bonds, and a full registered list of all bonds issued by such meeting, in the offices of the Clerk of the Court of Common Pleas, County Auditor and County Treasurer of Edgefield County, and each of said officers shall enter upon each of said bonds the date of registration in his office, and sign his name thereto, before said bonds shall be used.

Bonds to be delivered to company.

SEC. 13. That when said bonds are so ready for use, they shall be delivered to said company by the chairman and clerk aforesaid, and said company shall issue certificates of stock for the same to such township.

Bonds, interest on, manner of raising money to pay.

SEC. 14. That the County Auditor or other officers authorized to assess the property of the County, and to enter the rate per centum to be collected upon the same, shall annually assess a rate per centum on the property of the citizens of any such township to pay the interest upon said bonds sufficient to raise the amount of the annual interest on the same, and no more, and the County Treasurer shall collect the same at the same time and in the same manner as the other taxes.

Coupons receivable for taxes.

SEC. 15. That the coupons upon said bonds shall be received by said Treasurer in payment of County taxes, and the taxes collected for and on account of said County, by said Treasurer, shall be paid out on said coupons, as rapidly as they may be collected by him, until all coupons due and presented are paid.

County Treasurer to perform certain duties.

SEC. 16. That it shall be the duty of said County Treasurer to make and file a report of all sums received and paid out by him on account of the taxes collected for interest on said bonds to the Clerk of the Court of Common Pleas for said County, ten days before each session of said Court, and exhibit to said Clerk his vouchers for said payments, and said Clerk shall certify on said report that he has examined said vouchers, and such reports shall be read

by said Clerk in open Court, during the session of said Court, under the direction of the presiding Judge.

A. D. 1874.

SEC. 17. That the voters of any township may be assembled on the call of any ten citizens of the township, duly published for twenty days, giving time and place and object of the meeting, and the meeting organized as hereinbefore provided, to elect three persons to represent the stock of said township in any meeting of the stockholders of said company; and said representatives shall be owners of real estate residing in said township and elected by a two-third vote of the voters present at such meeting, and upon presenting a certificate, signed by the chairman and clerk of such meeting, showing that they were duly elected and qualified, they shall be entitled to represent such township in the meeting of the stockholders to which they were elected.

Townships.
how to be represented in meetings of stockholders.

SEC. 18. No person shall be eligible to the office of Director in said company who does not own five shares of the capital stock of the same; and no person shall be entitled to any compensation for representing a township at any meeting of the stockholders of said company.

Directors must own certain amount of stock.

SEC. 19. It shall be the duty of the President and Directors of said railroad company, and all officers of the same, to render an account of the affairs of the same to the stockholders at least once a year, and as often as they may be required by said stockholders; and the same shall be published in one or more newspapers of the State.

Officers to render annual account of condition of company.

SEC. 20. The President and Directors of said company shall not have power to contract any debt for said company, until they shall have first been authorized by the stockholders in general meeting.

Officers not to contract debts unless authorized.

Approved March 14, 1874.

AN ACT TO INCORPORATE THE CENTENARY CHURCH AND CAMP No. 539.
GROUND, OF MARION COUNTY, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William B. Rowell, Sr., David Legette, B. Franklin Davis, Foster Brown, John B. Shackelford, Ashley S. Legette, Edward B. Smith, J. Edwin Stevenson, William B. Baker, Jr., and their successors in office, be, and they are hereby, incorporated and declared to be a body corporate, under the name and style of the Centenary Church and Camp Ground, of Marion County, South Carolina, and by that

Corporators.

Corporate name.

A. D. 1874. name and style shall have succession of officers and members, and shall have a common seal.

Powers and
privileges.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real or personal estate not exceeding in value the sum of twenty-five thousand dollars, and to sell, convey and dispose of the same; and by its corporate name may sue and be sued in any Court of this State, and to make such rules and by-laws, not repugnant to law, as it may consider necessary and expedient.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue of force until repealed.

Approved March 14, 1874.

No. 540. AN ACT TO INCORPORATE THE TOWN OF SENECA CITY, IN THE COUNTY OF OCONEE.

Seneca City,
town of, incor-
porated.

Corporate lim-
its.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State who have resided thirty days in the town of Seneca City shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Seneca City, and its corporate limits shall extend one-half mile from the point of crossing of the Atlanta and Richmond Air Line Railway Company and the Blue Ridge Railroad, in a direction due north, east, south and west, and shall include a square formed upon the extremities of lines so drawn.

Officers.

Elections, time
of holding.

SEC. 2. That said town shall be governed by an Intendant and six Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of the said town on the fourth Monday in March, 1874, and every year thereafter on the fourth Monday in March, ten days' public notice thereof being previously given; and that all the male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens. For the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas of Oconee County shall designate three suitable persons, citizens of said town, to act as Managers of the election, and that the Intendant and

Clerk of Court
to appoint
Managers.

Wardens for the time being shall annually appoint Managers to conduct each ensuing election.

A. D. 1874.

SEC. 3. That the said corporation shall have the same powers and privileges, and be subject, in every respect, to the provisions of the charter granted to the town of Ninety-Six, by an Act entitled "An Act to incorporate the town of Ninety-Six," approved March 13th, 1872.

Provisions of charter of town of Ninety-Six to apply to Seneca City.

SEC. 4. This Act shall be deemed a public Act, and continue in force until repealed.

Approved March 14, 1874.

AN ACT TO INCORPORATE THE RAEMONT MANUFACTURING COMPANY, OF MARION COUNTY, SOUTH CAROLINA.

No. 541.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Murdoch McRae, James McRae and John C. Sutherland, and such other persons as may become associated with them, and their successors, are hereby made and declared a body politic and corporate in law, under the name and style of the Raemont Manufacturing Company, for the purpose of spinning and manufacturing cotton or woollen fabrics, to be located in Marion County, with a capital stock of fifty thousand dollars, with authority to increase the same to one hundred thousand dollars, to be divided into shares of one hundred dollars each.

Corporators.

Corporate name.

Capital stock.

SEC. 2. That the corporators herein named, or any two of them, shall be permitted to open books of subscription to the capital stock of said company, at such time and places as they may deem fit, and may appoint suitable persons to receive subscriptions to the same; and when the sum of twelve thousand dollars shall be subscribed in *bona fide* subscription to said capital stock, the said corporators, or any two of them, shall file, in the office of the Secretary of State, their affidavit that such amount has been *bona fide* subscribed; and thereupon the persons who have subscribed to the stock of said company shall have three weeks' public notice, by advertisement in a newspaper or otherwise, the amount of capital subscribed, and of the time and place when and where such stockholders shall meet to organize said company.

Subscriptions to be received to capital stock.

Amount of stock subscribed to be published.

SEC. 3. That said company shall, at said meeting, be organized by the election of a President, Vice-President, and such number of Directors and other officers, for such term as the stockholders pre-

Officers, election of.

A. D. 1874.

ent may decide upon ; and that annually thereafter the President and Directors so elected shall call together the stockholders for the purpose of electing officers of the corporation, and for the transaction of such business relating to the interest of the company as they may deem fit.

Powers and
privileges.

SEC. 4. That said company, when organized as herein provided, may establish by-laws for the usage and government of the company, not repugnant to the laws of this State ; may purchase and hold such real estate as may be necessary for their purpose, and may transfer the same ; may sue and be sued, plead and be impleaded, in the Courts of this State ; may have and use a corporate seal, and may enjoy all the rights, privileges and immunities of bodies corporate in this State. They shall also enjoy such special privileges and immunities as are now or hereafter may be conferred by law on similar manufacturing companies within this State.

SEC. 5. That whenever the said sum of twelve thousand dollars shall have been secured or paid into the capital stock of said company, it shall be authorized to commence business as a manufacturing company under this charter.

SEC. 6. That this Act shall be deemed a public Act, and remain in force for the term of twenty-one years.

Approved March 14, 1874.

No. 542. AN ACT TO AUTHORIZE P. T. SMITH TO BUILD A WHARF AT GARDNER'S BLUFF, IN MARLBORO COUNTY.

P. T. Smith
to build wharf.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That P. T. Smith be, and he is hereby, authorized to build a wharf at Gardner's Bluff, on the Pee Dee River.

SEC. 2. That the franchise herein granted shall be vested in the said P. T. Smith, his heirs, executors, administrators and assigns, for a term of twenty-one years.

Approved March 14, 1874.

No. 543. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CHARTER THE ANDERSON, AIKEN, PORT ROYAL AND CHARLESTON RAILROAD COMPANY."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

General Assembly, and by the authority of the same, That an Act entitled "An Act to charter the Anderson, Aiken, Port Royal and Charleston Railroad Company," approved February 26, 1873, be, and the same is hereby, amended by adding the following, to wit: Among the list of incorporators insert the names "E. M. Sumter" and "B. W. Middleton."

A. D. 1874.

Additional
corporators.

SEC. 2. That the said Anderson, Aiken, Port Royal and Charleston Railroad Company be, and they are hereby, authorized and empowered to construct the main line of said railroad to or from any place mentioned in its charter, by the most practicable route, through the Counties of Barnwell, Beaufort and other Counties therein mentioned, to Port Royal Harbor, and to construct such other branch roads, to points named in said charter, as may be deemed desirable.

To construct
road through
certain Coun-
ties to Port
Royal.

SEC. 3. That it shall be lawful for the said company to connect and consolidate their railroad with the Port Royal Railroad or any other road on the line of said Anderson, Aiken, Port Royal and Charleston Railroad Company, or its branches, at such point as may be declared most practicable.

SEC. 4. That the said company be, and they are hereby, authorized and empowered to extend the main line of said railroad through the Counties of Anderson and Pickens, by the most practicable route, to the Richmond and Atlanta Air Line Railroad, and have power to connect and consolidate with said Richmond and Atlanta Air Line Railroad Company; also to construct the main line of said Anderson, Aiken, Port Royal and Charleston Railroad to the North Carolina line, at or near Sassafras Gap, and to connect or consolidate with any other railroad company leading from the West.

Main line of
road may be
extended.

May consoli-
date with other
roads.

SEC. 5. That it shall be lawful for any County or town interested in the construction of the said Anderson, Aiken, Port Royal and Charleston Railroad Company, by a majority of the voters of such County or town, to subscribe to the capital stock of said company or of any company with which it may consolidate or unite, such sum, not exceeding five per cent. of the assessed valuation of such County or town, payable in such manner as the proper authorities of such County or town shall determine and authorize; and in all meetings of stockholders the County Commissioners of the respective Counties, and the Town Councils of the respective towns, shall appoint some person to represent the stock of their respective Counties and towns.

Counties and
towns may sub-
scribe to capi-
tal stock of
company.

SEC. 6. That it shall be lawful for the corporators named in said charter to vote by proxy or in person, and that it shall be the duty of the first persons named in the list of such corporators to call

Corporators
may vote by
proxy.

A. D. 1874.

the first meeting, and advertise the same in such newspapers as may be published in the Counties through which the said road passes.

Company may construct either broad or narrow gauge road.

SEC. 7. That the said company be, and they are hereby, authorized and empowered to construct either a broad or narrow gauge railroad, as they may deem desirable.

SEC. 8. All Acts or parts of Acts conflicting with the provisions of this Act are hereby repealed.

Approved March 14, 1874.

No. 544. AN ACT TO AUTHORIZE AND REQUIRE CERTAIN JURY COMMISSIONERS TO PREPARE JURY LISTS FOR THE YEAR 1874, AND FOR OTHER PURPOSES THEREIN MENTIONED.

Jury Commissioners to prepare jury lists.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Jury Commissioners who have failed to prepare jury lists for their respective Counties for the year 1874, during the month of January last past, as required by law, be, and they are hereby, authorized and required to prepare such lists on or before the first day of April in said year.

All jurors to be drawn from lists so prepared.

SEC. 2. That from the lists so prepared, all grand and petit jurors required by law for said year 1874 shall be drawn, summoned and returned in the same manner now prescribed by law.

Section 1, Chapter CXI, of General Statutes amended.

SEC. 3. That Section 1 of Chapter CXI, Title II, of Part III of the General Statutes be, and the same is hereby, amended as follows, to wit: Insert between the words "Commissioners" and "shall," occurring in the fourth line of said Section, the words "or a majority of the same."

Conflicting Acts repealed.

SEC. 4. All Acts or parts of Acts conflicting with the provisions of this Act are hereby repealed.

Approved March 14, 1874.

No. 545. AN ACT TO CONFER THE RIGHTS OF LEGITIMACY ON CHARLOTTE SULLIVAN AND JOHN CRIM.

Right of legitimacy conferred on Charlotte Sullivan.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Charlotte Sullivan, formerly Charlotte Washington, begotten of the body of

Minerva Washington, of Greenville County, be, and she is hereby, invested with all the rights and privileges of a legitimate child, in the same manner and to the same extent as if she had been born in lawful wedlock.

A. D. 1874.

SEC. 2. That John Crim, begotten of the bodies of D. Brady and Polly T. Crim, of Orangeburg County, be, and he is hereby, invested with all the rights and privileges of a legitimate child, in the same manner and to the same extent as if he had been born in lawful wedlock, and that his name be changed from John Crim to that of John Brady, and his father, D. Brady, takes charge of his person and provide for his education and support.

Right of legitimacy conferred on John Crim.

Name changed to Brady.

Approved March 14, 1874.

AN ACT TO INCORPORATE THE SEA ISLAND RAILROAD COMPANY. No. 546.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of establishing a railroad from or near the mouth of Station Creek, on St. Helena Island, in the County of Beaufort, to traverse portions of said Island of St. Helena, Lady's and Port Royal Islands, and to form a junction or connection with the Port Royal Railroad at a point not exceeding five miles north and west of the town of Beaufort, a charter conferring all the rights and privileges incidental to the same be, and the same is hereby, granted to and vested in Robert Smalls, Hastings Gantt, Samuel Greene, John Hume, William E. Towne, Henry G. Judd, W. H. Paten, N. B. Myers, and their associates; and whenever a company shall have been formed in accordance with the conditions hereinafter expressed and prescribed, it shall be known by the name of the Sea Island Railroad Company, and shall have a corporate existence, as a body politic, in perpetuity.

Corporators.

Corporate name.

SEC. 2. That the capital stock of said company shall be one million five hundred thousand (1,500,000) dollars, in shares of fifty (50) dollars each; and for the purpose of raising the said capital stock, books of subscription may be opened at such places and times as may be considered for the best interests of said corporation, under the direction of the incorporators, such places and times of receiving subscriptions to be determined by a majority of the said incorporators; and due notice of the opening of such books for subscriptions shall be published in at least one newspaper in each of

Capital stock, amount of.

Capital stock, manner of raising.

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the Counties of Beaufort and Charleston, and said books for subscription shall be kept open for the period of one month, and longer, if the majority of the incorporators shall so determine. Whenever the sum of fifty thousand dollars shall have been subscribed, any four of the said incorporators shall give public notice, for at least two weeks, of the time and place of meeting for the purpose of organization.

Rights conferred upon Port Royal Railroad Company to extend to Sea Island Railroad Company.

SEC. 3. Whenever the said sum of fifty thousand dollars shall have been subscribed, the subscribers, their executors, administrators and assigns, shall be, and they are hereby declared to be, incorporated into a company, with all the rights, powers and privileges conferred upon the Port Royal Railroad Company by an Act entitled "An Act to charter the Port Royal Railroad Company," ratified 21st of December, A. D. 1857.

Company may mortgage its property.

SEC. 4. That said Sea Island Railroad Company shall have power to mortgage its property, and issue bonds, at such rates of interest, and upon such terms and conditions, and for such uses and purposes of said corporation, as the Board of Directors may deem necessary or expedient: *Provided*, That the issue of bonds shall in no case exceed the amount one million five hundred thousand dollars of its capital stock.

• May construct bridges.

Proviso.

SEC. 5. That the said company shall have the right to construct and maintain bridges across navigable rivers: *Provided*, That good and sufficient draws shall be built at such crossings, to be opened for the passage of vessels whenever the same shall be necessary.

Taxes.

SEC. 6. The said company shall be liable to the payment of all taxes and assessments which may be levied upon their corporate estate pursuant to the laws of this State.

SEC. 7. Said railroad, wharves and warehouses shall be commenced within five years, and completed within ten years from and after the passage of this Act.

May construct wharves and warehouses.

SEC. 8. That said Sea Island Railroad Company be authorized to construct wharves and warehouses at Station Creek.

SEC. 9. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 14, 1874.

NO. 547. AN ACT IN RELATION TO THE SERVICE OF LEGAL PROCESS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That no fee shall be allowed to any person for the service of any summons, complaints, answers, demurrers, subpoenas and every other

Fees not to be allowed to any persons other than officers or their deputies.

legal process issuing in the Courts of Common Pleas and Courts of Probate of this State not made by the Sheriff of the County where such process is served or his legally constituted deputies. Any person violating the provisions of this Act shall be liable to pay tenfold to the party aggrieved, to be recovered by suit in any Court of competent jurisdiction.

A. D. 1874.

Persons violating provisions of this Act to pay ten-fold to parties aggrieved.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Conflicting Acts repealed.

Approved March 14, 1874.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF ANDERSON." No. 548.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to renew and amend the charter of the town of Anderson," approved March 9th, 1871, be amended as follows, to wit: Insert between the word "town" and the word "the," in the twenty-fourth line of Section 9, the words "and on personal property owned and held within the said town, including bonds and stocks of banks and insurance companies and other corporations." The following to be Section 22: "In the assessment of all property in said town, it shall be the duty of the Clerk of Council of said town to deliver to or leave at the residence or place of business of each person within the corporate limits of said town a printed form or statement of return for taxation, with a proper form of oath thereto, and shall, at the time he delivers such forms, receive from such person the statement of property for taxation required by this Act, verified by the oath of such person; but if the person be not ready, nor desire to make such statement at the time of receiving such form, he shall make up such statement and deliver the same within twenty days; and in case of failure so to do, shall be held to have neglected to list, and shall be assessed and returned by the Clerk of Council accordingly; and if the Clerk of Council shall fail to deliver the form aforesaid to any person, such person shall not thereby be excused from listing their property for taxation, but in such case, if they make and swear to their statement and deliver the same to the Clerk of Council at any time within ten days from the expiration of the time required by this Section, the Clerk of Council shall not return them as neglecting to list. And that in every election for Wardens of said town, every qualified voter shall, if he so desire, be

Tax on personal property, &c.

Clerk of Council to furnish blank returns for taxation.

Returns to be made under oath.

Upon failure of property holder to make returns, said Clerk shall do so.

Additional time for making returns.

D. 1874.

Electors may
vote under sys-
tem of cumu-
lative voting.

"Hereafter"
inserted.

"August" in-
serted in lieu
of "Septem-
ber."

allowed to vote under the system of cumulative voting, that is, in such ratio as he may see fit; that is, he may cast the whole number of his votes for one of said Wardens, or he may cast three votes for one and one vote for another of said Wardens, or two votes for one and two votes for the other of said Wardens. That between the words "shall" and "be," in the fourth line of Section 3 of said Act, the word "hereafter" be inserted; and that on the fifth line of said Section the word "September" be stricken out and the word "August" be substituted in lieu thereof, so that it may read: "The said Intendant and Wardens shall hereafter be elected on the second Monday in August."

SEC. 2. That Section 22 be made Section 23 of the amended Act.

Approved March 14, 1874.

No. 549. AN ACT TO ESTABLISH CERTAIN PUBLIC ROADS IN THE COUNTY OF GEORGETOWN.

County Com-
missioners to
establish and
keep certain
roads in repair.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Georgetown County be, and they are hereby, authorized and required to open, establish and keep in repair a public road, commencing at or near Union Church, and running near the Good Hope Church, to Yawhaney Ferry, in said County. Also, to open, establish and keep in repair a public road, commencing at or near Britton's Ferry, Pee Dee, and running to or near Choppee, on Black River, thence through Dunbar Neck to the public road in said County. And also to repair the bridge over Snow Mill Creek, and keep the same in good repair.

Approved March 14, 1874.

No. 550. AN ACT TO REQUIRE THE COUNTY COMMISSIONERS OF CHARLESTON COUNTY TO ERECT A POOR HOUSE IN SAID COUNTY.

County Com-
missioners to
erect poor
house.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Charleston County be, and they are hereby, authorized and required to erect a poor house within the said

County of Charleston, at such point as they may deem necessary : *Provided*, That such poor house shall not exceed in cost of erection four thousand dollars : *And provided, further*, That said poor house shall be open to all classes of the indigent poor of said County.

A. D. 1874.

Cost of same.

Open to all classes.

Proposals.

SEC. 2. That said County Commissioners shall advertise in one or more papers of Charleston County for proposals to erect the said poor house, and, after due notice, of not less than twenty days, the bids for the same shall be opened, and the lowest bid therein proposed, if properly secured by two good and sufficient securities in double the amount of the contract so to be given, and filing the same with the Clerk of the Court for said County, they shall be awarded the contract; and the County Commissioners of said County are hereby required to cause the building of said poor house to be commenced within three months after the passage of this Act; and in case of their failure so to do, or neglect of any of the provisions hereof, said County Commissioners shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined and imprisoned at the discretion of the Court.

Contract to be awarded to lowest bidder.

Building—when to be commenced.

Penalty for failure.

SEC. 3. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved March 14, 1874.

AN ACT TO AUTHORIZE AND EMPOWER CHAMPION DYE, No. 551.
HORACE WHITE AND OTHERS TO ERECT AND KEEP IN REPAIR A GATE ACROSS THE PUBLIC HIGHWAY LEADING FROM CAMDEN COURT HOUSE TO LIBERTY HILL, IN KERSHAW COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Champion Dye, Horace White and others are hereby empowered to erect and keep in repair a gate across the public highway leading from Camden Court House to Liberty Hill, at or about a point known as Beaver Creek, situated in Kershaw County.

Champion Dye and others may erect certain gates.

SEC. 2. That should they fail to keep the gate in repair after its erection, their right of keeping said gate across the public highway shall be declared void, on proof of the same.

Penalty for failure to keep same in repair.

Approved March 14, 1874.

A. D. 1874.

No. 552.

AN ACT TO INCORPORATE THE ENTERPRISE GAS LIGHT COMPANY, OF CHARLESTON, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Jacob Henry Williman, W. A. Grant, A. O. Jones, S. E. Gaillard, W. R. Jervy, W. H. Jones, R. B. Anderson, J. Woodruff, W. F. Paddon, and their associates and successors, shall be, and they are hereby incorporated and made and declared, a body politic and corporate, in deed and in law, by the name and style of the Enterprise Gas Light Company, of Charleston, South Carolina, and as such body politic and corporate shall have power to make, use, have and keep a common seal, and the same to alter at will; to make all necessary by-laws, not repugnant to the laws of the land, and to have succession of officers and members conformably to such by-laws; and to sue and be sued, plead and be impleaded, in any of the Courts of this State, and to have, use and enjoy all other rights, and be subject to all other liabilities, which are incident to bodies corporate.

SEC. 2. That the said corporation shall have full power and authority to manufacture, make and sell gas, to be made of rosin, coal, oil, turpentine or other material, and to furnish such quantities of gas as may be required in or near the city of Charleston for lighting the streets, stores, manufactories and buildings there situate, and for other purposes; to lay pipes or other conductors for conducting gas through the streets, alleys, lanes and squares of the city of Charleston aforesaid, or its vicinity, and also to erect such buildings and hold such real and personal estate as may be requisite or necessary to carry on the business aforesaid. And to effect such purposes shall have full power, by sale or otherwise, to amalgamate, consolidate and unite with any other company incorporated for similar purposes; and such other company shall, on such amalgamation, consolidation and union, by purchase or otherwise, which it is hereby authorized to make, be invested with the same powers and clothed with the same duties as the company hereby incorporated. And the said corporation shall have power to raise by subscription, in shares of ten dollars each, a capital of five hundred thousand dollars, with the privilege of increasing the same to one million dollars; and the said corporation shall or may go into operation, and the rights, privileges and franchises hereby granted shall attach, whenever fifty thousand dollars of the capital aforesaid shall be paid in, and an oath or affirmation thereof shall have been made by the President, Treasurer and a majority of the Board of Direc-

Corporators.

Corporate name.

General powers.

May manufacture and sell gas.

May lay pipes, etc., through the streets of Charleston.

May unite or consolidate with companies doing similar business.

Capital stock—how to be raised.

When may commence operations.

tors of the said company, and recorded in the office of the Secretary of State, at Columbia, and shall have been published in one of the newspapers of said city.

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SEC. 3. That the said shares in the capital stock aforesaid of the said corporation shall be deemed personal estate and be transferable only on the books of the said corporation. And no part of the said capital stock shall, at any time, or under any pretense whatever, be loaned to or divided among the stockholders; nor shall he said capital be withdrawn or divided among the stockholderst until all the liabilities of the said corporation have been lawfully paid; nor shall any dividend be at any time declared, except of the clear earnings and profits of the said company over and above the capital.

Shares personal property.

Capital stock not to be loaned to stockholders.

SEC. 4. That if the proprietor of any share shall refuse or neglect to pay any installment assessed thereon for the space of thirty days after the time appointed for the payment thereof, the Treasurer of the company may, by order of the Board of Directors thereof, sell, by public auction, a sufficient number of any shares held by such defaulter to pay all installments then due by him, together with the necessary and incidental charges; and the Treasurer shall give notice of the time and place of such sale, and of the sum due on each share, by advertising the same for two successive weeks previous to such sale in some newspaper of the city of Charleston, and a bill of sale of the shares so sold shall be made by the Treasurer of the company to the purchaser thereof, who shall thereon be entitled to have the same transferred to him on the books of the company, and shall be liable for all installments on the stock which he may have purchased.

Sale of shares of delinquent stockholders.

SEC. 5. That the said Jacob Henry Williman, W. A. Grant, S. E. Gaillard, W. R. Jervey and Richard B. Anderson may open books and take subscriptions for the capital stock of the said company, in such manner as they may deem expedient; and whenever such subscription shall amount to the sum of fifty thousand dollars, the stockholders, having had two weeks' notice in writing, or in one of the public newspapers in the city of Charleston, may meet and proceed to elect a President, Treasurer and Board of Directors, or such other officers as they may deem necessary for organizing the said company and conducting the affairs thereof; and the said Board of Directors shall continue in office until their successors shall have been duly elected; and, until otherwise provided by the by-laws of the said corporation, shall have power to dispose of the residue of the capital stock of the said company not subscribed for, in such manner and at such times as they may deem fit; and at the said election of officers, and at all other meetings of the said com-

Books of subscription.

A. D. 1874.

pany, every stockholder shall be entitled to one vote for every share held by him.

Annual
statement of
Directors.

SEC. 6. That the Directors shall submit to the stockholders, annually, a written statement, under oath or affirmation of the Treasurer of the corporation, setting forth the amount of the capital stock paid in and of the general assets of the company, and also the amount of all existing debts and liabilities of said company.

Penalty for
injuring prop-
erty of Com-
pany.

SEC. 7. That any person willfully injuring, or causing to be injured, any of the property of said corporation shall forfeit and pay to the said corporation treble the amount of damages sustained by such injury, to be recovered by action in any Court having cognizance thereof, and shall be considered guilty of a misdemeanor; and, being thereof convicted, shall be punished by fine not exceeding one thousand dollars or imprisonment not exceeding two years, or both, in the discretion of the Court.

SEC. 8. That this Act shall be deemed a public Act, and continue in force for the term of twenty years.

Approved March 14, 1874.

No. 553. AN ACT TO AUTHORIZE D. F. APPLETON TO ERECT A WHARF OR WHARVES ON ANY PROPERTY OWNED BY HIM IN THE TOWN OR CITY OF PORT ROYAL.

D. F. Apple-
ton to build
wharf and col-
lect wharfage.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That D. F. Appleton be, and he is hereby, authorized and empowered to build a wharf or wharves, to deep water, on any property owned by him in the town or city of Port Royal, and to collect the usual rates of wharfage on the same.

SEC. 2. This Act shall be taken and deemed a public Act, and shall remain in force for a period of ninety years.

Approved March 14, 1874.

No. 554. AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF AIKEN COUNTY TO OPEN AND KEEP IN REPAIR A PUBLIC ROAD RUNNING FROM JACKSON STATION TO THE AUGUSTA ROAD.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commission-

ers of Aiken County be, and they are hereby, authorized and directed to open and keep in repair a public road running from Jackson Station to the Augusta Road.

Approved March 14, 1874.

A. D. 1874.

County Commissioners to open public highway.

AN ACT TO INCORPORATE THE CAMDEN JOCKEY CLUB.

No. 555.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following persons, John Cantey, T. H. Clark, John B. Moore, R. C. Richardson, Johnson Hagood, Edward Cantey, E. J. Dunlap, and all other persons who are now, or may hereafter become, members or stockholders of the association known as the "Camden Jockey Club," be, and are hereby, constituted a body politic and corporate, by the name and style of the Camden Jockey Club.

Incorporators.

Corporate name.

SEC. 2. That the said association, by its name, the Camden Jockey Club, shall have succession of officers and members, according to its by-laws, and shall have power, respectively, to make by-laws, not repugnant to the laws of the land; to have, keep and use a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded, in any Court of this State; and to have and enjoy every right incident to corporations.

Powers and privileges.

SEC. 3. That they are also empowered to retain, possess and enjoy all such property as they may now, respectively, be possessed of or entitled to, or which shall hereafter be given, bequeathed to, or in any manner acquired by them, and to sell, alien or in any way transfer the same, or any part thereof: *Provided*, The amount of property so held, or stock invested, shall in no case exceed twenty thousand dollars.

May acquire and convey real estate.

SEC. 4. That this Act shall be and continue of force for the term of twenty years, and from thence until the adjournment of the next ensuing session of the Legislature.

Approved March 14, 1874.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF BEAUFORT.

No. 556.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of Beaufort shall have power and authority to assess and

Tax upon personal property.

A. D. 1874. collect a tax upon personal property as provided in the Constitution of this State; and all taxes so assessed and to be collected under any ordinance of said town, for the year 1874, shall be deemed valid and have full force in law.

Judicial
powers. SEC. 2. That the Intendant, or acting Intendant, of said town is hereby vested with all the power and jurisdiction given to Trial Justices of this State, and may hold Court for the trial of violations of town ordinances, and may punish by fine or imprisonment, in his discretion, or both.

Approved March 14, 1874.

No. 557. AN ACT TO INCORPORATE THE PALMETTO LAND AND LUMBER COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, Ira D. Sturgis, Corporators, Mark Barker, Henry W. Bradbury and E. Perry Butts, and their associates and successors, are hereby constituted, made and created Corporate name, a body politic and corporate, by the name of the "Palmetto Land and Lumber Company," and by that name may sue and be sued, plead and be impleaded, and shall be entitled to all proper remedies at law and equity, and enjoy all the privileges incident to similar corporations and manufacturing companies.

Business of company. SEC. 2. The business of said company shall be the manufacture of lumber, and they are hereby authorized to carry on said business in all its branches, to purchase, hold, sell and convey real estate; may erect mills, maintain booms, and generally do all things necessary for the purpose of carrying on the business of manufacturing lumber as aforesaid.

Capital stock. SEC. 3. Said company may fix the amount of its capital stock, and may increase it from time to time, not exceeding, however, two hundred thousand dollars in all. Said corporation may have and use a common seal, which they may alter at pleasure.

Meeting and organization. SEC. 4. The first meeting of said company may be called by a notice signed by one of the corporators and forwarding a copy to each of the others, stating the time and place of the meeting, twelve days, at least, before the time specified, or any three of said corporators may meet and organize said company.

SEC. 5. This Act shall take effect when approved, and shall continue to be in force for twenty years, and until the meeting of the first General Assembly thereafter.

Approved March 14, 1874.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH A NEW JUDICIAL AND ELECTION COUNTY FROM PORTIONS OF THE COUNTIES OF BARNWELL, EDGEFIELD, LEXINGTON AND ORANGEBURG, TO BE KNOWN AS AIKEN COUNTY."

A. D. 1874.

No. 558.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act to establish a new judicial and election County from portions of the Counties of Barnwell, Edgefield, Lexington and Orangeburg, to be known as Aiken County, be amended by striking out, on line 16, all after the word "line," down to "where," on the eighteenth line, and insert the following: "by A. J. Weathersbee's Old Mill; thence in line, not to exceed one and a quarter of a mile from the present line on the Savannah River; thence up the Savannah River to the initial point at the mouth of Fox's Creek." And the County Commissioners of Aiken County are hereby authorized to employ and pay one competent surveyor to run out and properly mark and define the said boundary, as altered by this Act.

Boundary line changed.

County Commissioners may employ surveyor to lay out boundary line.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved March 14, 1874.

AN ACT TO RENEW THE CHARTER OF SOUTH CAROLINA LODGE, No. 559.
No. 1, I. O. O. F., OF THE CITY OF CHARLESTON.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of South Carolina Lodge, No. 1, I. O. O. F., be, and the same is hereby, renewed, and shall continue in force until amended, altered or repealed; and that all acts done by the said South Carolina Lodge, No. 1, I. O. O. F., since the expiration of its charter, in conformity thereto, shall be, and the same are hereby declared to be, as good and valid, to all intents and purposes, as if the same had been done before the expiration of its charter.

Charter of South Carolina Lodge renewed

Acts done since expiration of charter validated.

Approved March 14, 1874.

A. D. 1874.
 No. 560.

AN ACT TO INCORPORATE THE GOWENSVILLE SEMINARY, AT
 GOWENSVILLE, GREENVILLE COUNTY, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Thomas J. Earle, George W. Holtzclaw, William A. Mooney, Berryman Stewart, G. B. Reid, be, and the same are hereby, incorporated and declared to be a body corporate, by the name and style of the "Trustees of the Gowensville Seminary," and by that name and style shall have succession of officers and members, and shall have a common seal.

Corporate
 name.

Powers and
 privileges.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real and personal estate, not exceeding in value the sum of thirty thousand dollars, and to sell, convey and dispose of the same; and by its corporate name may sue and be sued in any Court in this State; and to make such rules and by-laws, not repugnant to law, as it may deem necessary and expedient, and as shall from time to time be agreed upon by its members or a majority of them.

Approved March 14, 1874.

No. 561. AN ACT TO AUTHORIZE AND EMPOWER THE APPRENTICES' AND MINORS' LIBRARY SOCIETY, OF CHARLESTON, TO UNITE WITH AND FORM A PART OF THE CHARLESTON LIBRARY SOCIETY.

Apprentices'
 and Minors'
 Library Socie-
 ty may unite
 with Charle-
 ston Library
 Society.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall and may be lawful for the Apprentices' and Minors' Library Society, of Charleston, to unite with and form a part of the Charleston Library Society at such time and upon such terms as may be agreed upon by and between the said two corporations, and under such union to be known by the corporate name of the Charleston Library Society, with all the corporate rights, privileges and authorities belonging to the Charleston Library Society.

May transfer
 its property to
 said society.

SEC. 2. That upon such union being agreed upon and made, it shall and may be lawful to and for the Apprentices' and Minors' Library Society, of Charleston, to convey and transfer all of its property, real and personal, to the Charleston Library Society, to be held and used by it for the united corporations.

Approved March 14, 1874.

AN ACT TO ALLOW HON. THOMPSON H. COOKE, EXECUTOR OF
DANIEL ZEIGLER, TO RECOVER CERTAIN LANDS SOLD FOR
TAXES THROUGH THE DEFAULT OF OTHERS.

A. D. 1874.
No. 562.

Whereas certain lands belonging lately to the estate of Daniel Zeigler, which were in the possession of one John M. Pennington, under a mortgage deed, have been sold for taxes by reason of the default of said Pennington, and purchased by one William Price, son-in-law of said Pennington; therefore,

Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Honorable Thompson H. Cooke, executor of the last will and testament of Daniel Zeigler, deceased, shall have the right to recover certain lands, consisting of a plantation containing five hundred and eighty-six (586) acres, more or less, comprising four several tracts, lying and situate in the County of Richland, on the waters of the Congaree River, and bounded on the south and west by said river, and on the north by lands of Wm. W. Braddy, which were conveyed by the said Daniel Zeigler, on the 26th day of February, A. D. 1872, to John M. Pennington, and to secure the purchase money of the same, the said John M. Pennington, on the same day, executed a mortgage of said lands, and entered into possession thereof, which lands, by reason of the failure of said John M. Pennington to pay the taxes due thereon, while the same were in his possession, were sold by the County Auditor of Richland County, on the 7th day of May, A. D. 1873, for taxes, and purchased by one William Price, the son-in-law of the said John M. Pennington, and are now held and claimed by him.

T. H. Cooke
may recover
certain lands.

SEC. 2. That the said Thompson H. Cooke, as executor aforesaid, shall have the right, upon the repayment by him to the said William Price of the taxes, costs and expenses paid by the said William Price, and the legal interest thereon from the time of said payment, to the immediate possession of the land described in the first Section of this Act, and all the right and title of the said William Price to said land, under the tax sale aforesaid, upon such repayment, shall pass to the said Thompson H. Cooke, executor, as aforesaid, any particular right claimed by the said William Price, under any tax title executed by any officer of this State to the contrary notwithstanding.

When entitled to immediate possession.

Approved March 14, 1874.

A. D. 1874.

No. 563.

AN ACT TO PROVIDE FOR THE TRANSFER TO THE OFFICERS OF THE COURTS OF AIKEN COUNTY ALL PROCESSES AND OTHER PAPERS RELATING TO SUITS OR PROCEEDINGS IN SAID COUNTY, BEGUN IN ANY PORTION OF THE COUNTIES ORIGINALLY CONSTITUTING SAID COUNTY WHICH HAVE BECOME PART THEREOF.

Transfer of
certain papers
to Clerk of
Court and Probate
Court of
Aiken County.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Clerks of the Circuit Courts and the Judges of Probate of the Counties of Barnwell, Edgefield, Lexington and Orangeburg shall forthwith transfer to the Clerk of the Circuit Court for the County of Aiken, and to the Judge of the Probate Court thereof, all processes and other papers belonging or in anywise appertaining to suits or proceedings commenced in the respective Courts of said Counties, wherein the defendants reside in those portions of said Counties now separated therefrom, and constituting the County of Aiken, and the same shall be as valid as if commenced in, or made returnable to, the Courts of the County of Aiken.

Penalty for
failure so to do.

SEC. 2. Any Clerk or Judge of Probate of any of the Counties named in the first Section of this Act who shall fail or neglect, for one month after demand by the Clerk of the Circuit Court or Judge of Probate of the County of Aiken, to perform the duties herein enjoined shall be held guilty of a misdemeanor, and, upon conviction thereof, shall be fined, not exceeding one thousand dollars, or imprisoned, not exceeding one year, in the discretion of the Court.

Approved March 14, 1874.

No. 564. AN ACT TO INCORPORATE THE YOUNG SONS OF HONOR, OF THE FRIPPE POINT, OF ST. HELENA ISLAND, SOUTH CAROLINA.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel Washington, Cuffy Chisolm, March Aiken, Aleck Richardson, Peter Watson, Jr., January Greer, David Simmons, Wm. White, Lot Richardson, Robert White, Prince Jenkins, their successors in office and associates, be, and they are hereby, made and declared a body politic and corporate, under the name and style of the "Young Sons of Honor, of the Fripp Point, of St. Helena Island, South Carolina," and by that name and style shall have a succession of

Corporate
name.

officers and members, and shall have a common seal, the same to change and alter at will.

A. D. 1874.

SEC. 2. That said corporation shall have power to purchase, receive and hold any real or personal property, not exceeding in value thirty thousand dollars, and to sell, convey and dispose of the same; and by its corporate name may sue and be sued in any Court of competent jurisdiction in this State, and make such rules and by-laws, not repugnant to the laws of this State, as they may deem necessary and expedient.

Powers and
privileges.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and continue in force until repealed.

Approved March 14, 1874.

AN ACT TO INCORPORATE THE CHESTER LAND PURCHASING ASSOCIATION, OF CHESTER, CHESTER COUNTY, SOUTH CAROLINA. No. 565.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Dublin Walker, Prince Young, Burrell Hemphill, Jefferson Jourdan, James White, Washington Lindsey, Major Simms, Randall Brown, William Brown, James Reid, Thomas Gibbs, together with other persons who now are or hereafter may be associated with them, be, and they are hereby, declared a body corporate, under the name and style of the Chester Land Purchasing Association, of Chester, Chester County, South Carolina, and shall have succession of officers, and shall have a common seal.

Corporators.

Corporate
name.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real or personal estate, not exceeding in value the sum of twenty thousand dollars, and to sell, convey and dispose of the same; and by its corporate name to sue and be sued in any Court of this State, and to make such rules and by-laws, not repugnant to the laws of the land, as it may be considered necessary and expedient.

May acquire
and convey
real estate.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved March 14, 1874.

A. D. 1874. **AN ACT TO PROVIDE A FENCE LAW FOR ANDERSON COUNTY.**

No. 566.

Election to
decide upon
fence law.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Anderson County be, and they are hereby, authorized and required, upon due and legal notice, to submit to the qualified voters of said County, at the next general election to be held in said County, the question of "fence" or "no fence," the same to be voted upon by a ballot written or printed "yes" or "no."

If a majority
vote in favor,
County Com-
missioners to
erect fence on
boundary line.

SEC. 2. Should a majority of the qualified voters of said County casting their ballots on the said question vote "yes," then it shall be the duty of said County Commissioners to forthwith proceed to have erected and keep in repair on the boundary line between said County of Anderson and the Counties of Abbeville, Oconee and Pickens a good and substantial rail fence, of not less than twelve rails in height, properly staked and ridged; and at each and every place that a public road leading from either of said Counties above named crosses the boundary line between either of the above named Counties and Anderson County, to erect, or cause to be erected, a good and sufficient gate.

May enter
upon any lands
for that pur-
pose.

SEC. 3. That for the purpose of the proper construction of the fence provided for in the foregoing Section of this Act, the said County Commissioners are hereby authorized and empowered to enter upon the lands of any owner thereof, and to erect such fences thereon, without being guilty of any trespass whatever.

Owners of
stock to con-
fine same by
good fence.

SEC. 4. That it shall be the duty of each and every person owning or keeping any stock, such as cattle, horses, mules, sheep or hogs, or other stock, to confine the same by such a good and sufficient fence as shall prevent them from entering upon the lands of another.

Drivers to
prevent stock
from entering
lands of others.

SEC. 5. It shall be the duty of any person or persons driving stock, such as cattle, horses, mules, sheep or hogs, through the public roads of said County to so herd and drive the same that they shall not be allowed to enter upon or work injury to the lands or crops of the citizens of said County.

Employers to
furnish labor-
ers with pas-
torage.

SEC. 6. It shall be the duty of each and every employer in the said County to furnish each and every employee hired by him good pasturage for the stock owned by such employee, not exceeding two head of cattle to every field hand as amount.

Notice to
persons open-
ing gates to
close same.

SEC. 7. It shall be the duty of the County Commissioners of the said County of Anderson to keep duly placarded on said gate, that each and every person opening the said gate shall be required to close and securely fasten the same; and every person so opening such gate is hereby required to close and securely fasten the same.

SEC. 8. That any person or persons failing to comply with the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction therefor shall be fined in a sum not less than fifty dollars nor more than five hundred dollars, or imprisonment for a term not less than thirty days nor more than one year, in the discretion of the Court.

A. D. 1874.
 Penalty for
 violation of
 these provisions.

SEC. 9. That all Acts or parts of Acts inconsistent with or in any way conflicting with the provisions of this Act be, and the same are hereby, repealed.

Approved March 14, 1874.

AN ACT TO CHANGE THE TIME OF HOLDING CIRCUIT COURTS IN THE SEVERAL COUNTIES THEREIN NAMED. No. 567.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Courts of General Sessions and Common Pleas for the several Counties hereinafter named shall be held at the times following, respectively, instead of the time now fixed by law, that is to say: The Court of General Sessions, at Orangeburg, for the County of Orangeburg, the third Monday of January, third Monday of May, and the third Monday of October; and the Court of Common Pleas, at Orangeburg, for the County of Orangeburg, on the first Wednesday after the third Monday in January, the first Wednesday after the third Monday in May, and the first Wednesday after the third Monday in October.

Time for
 holding Court
 in Orangeburg.

SEC. 2. The Court of General Sessions, at Lancaster, for the County of Lancaster, on the first Monday of February and the third Monday of May and October; and the Court of Common Pleas, at Lancaster, for the County of Lancaster, on the first Wednesday after the first Monday of February, and on the first Wednesday after the third Monday of May and October.

In Lancaster.

Approved March 14, 1874.

AN ACT TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF CHESTER COUNTY TO BUILD A BRIDGE ACROSS ROCKY CREEK. No. 568.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the

A. D. 1874.

 Bridge across
 Rocky Creek.

County Commissioners of Chester County be, and they are hereby, authorized and required to build a bridge across Rocky Creek, at or near Mrs. Gooch's place, on the Lancaster Road.

SEC. 2. That the said bridge shall be free, and no toll or charges whatever be collected for crossing said bridge.

Approved March 14, 1874.

No. 569. AN ACT TO FIX THE TIME FOR HOLDING COURTS IN THE SEVENTH CIRCUIT.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, the Circuit Courts in the Seventh Circuit shall be held as follows:

Time for
 holding Court
 in Newberry.

1. The Court of General Sessions, at Newberry, for the County of Newberry, on the second Monday of January, the fourth Monday of March, and the first Monday of July; and the Court of Common Pleas, at Newberry, for the County of Newberry, on the first Wednesday after the second Monday of January, the first Wednesday after the fourth Monday of March, and the first Wednesday after the first Monday of July.

In Laurens.

2. The Court of General Sessions, at Laurensville, for the County of Laurens, on the fourth Monday of January, third Monday of May, and the fourth Monday of September; and the Court of Common Pleas, at Laurensville, for the County of Laurens, on the first Wednesday after the fourth Monday of January, the first Wednesday after the third Monday of May, and the first Wednesday after the fourth Monday of September.

In Union.

3. The Court of General Sessions, at Unionville, for the County of Union, on the second Monday of February, first Monday of June, and the second Monday of October; and the Court of Common Pleas, at Unionville, for the County of Union, on the first Wednesday after the second Monday of February, the first Wednesday after the first Monday of June, and the first Wednesday after the second Monday of October.

In Spartan-
 burg.

4. The Court of General Sessions, at Spartanburg, for the County of Spartanburg, on the fourth Monday of February, the third Monday of June, and the fourth Monday of October; and the Court of Common Pleas, at Spartanburg, for the County of Spartanburg, on the first Wednesday after the fourth Monday of February, the first Wednesday after the third Monday of June, and the first Wednesday after the fourth Monday of October.

SEC. 2. That all writs, summons, recognizances and other processes of whatever kind, returnable to the Courts of General Sessions and Common Pleas in the Counties above named, be, and the same are hereby, made returnable to the Courts held in pursuance of the provisions of this Act, in the same manner as if they had been issued or taken in reference thereto.

A. D. 1874.

All processes returnable to Courts held under this Act.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act, or repugnant thereto, be, and the same are hereby, repealed.

SEC. 4. This Act shall take effect on and after the fifteenth day of June next.

When to take effect.

Approved March 14, 1874.

AN ACT TO RAISE SUPPLIES FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1874. No. 570.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a tax of one and one-fourth ($1\frac{1}{4}$) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations to pay the salaries of the Executive and Judicial officers of the State, the Clerks and contingent expenses of the Executive and Judicial departments of the government, for the fiscal year commencing November 1, 1874.

One and one-fourth mills for salaries and contingents.

SEC. 2. That a tax of one and one-fourth ($1\frac{1}{4}$) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations for the support and maintenance of the penal, charitable and educational institutions of the State, exclusive of common schools, for the fiscal year commencing November 1, 1874.

One and one-fourth mills for public institutions.

SEC. 3. That a tax of two (2) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations for the support and maintenance of public schools for the fiscal year commencing November 1, 1874, and three-fourths ($\frac{3}{4}$) of one (1) mill, which shall be used for the payment of deficiencies for school claims and salaries of County School Commissioners due prior to 1st November, 1873, to be divided among the various Counties according to the deficiencies of the same.

Two mills for schools.

Three-fourths of a mill for old school claims, etc.

SEC. 4. That a tax of one (1) mill upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations to defray the expenses of the General Assembly for the regular session of 1874-75.

One mill, expenses General Assembly.

A. D. 1874.

One-third of a
mill for print-
ing.

SEC. 5. That a tax of one-third ($\frac{1}{3}$) of one mill upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriations for the expenses of public printing for the fiscal year commencing November 1, 1874.

Two mills
for interest.

SEC. 6. That a tax of two (2) mills upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to pay the interest upon the public debt (as adjusted by Act of December 22, 1873,) due and payable upon the 1st of January and July, 1875: *Provided*, That no part of the fund remaining as a surplus in the State Treasury after the payment of the interest annually accruing upon the bonds and stocks of this State, as authorized to be issued by an Act entitled "An Act to reduce the volume of the public debt, and provide for the payment of the same," approved December 22, 1873, shall be used for the purchase of any other class of bonds or certificates of stock than are by the provisions of said Act authorized to be issued; the true intent and meaning of which is to exclude from purchase all bonds or stocks remaining in their present form or unexchanged for the consolidation bonds or certificates of stock provided for in said Act.

Surplus of
interest paid
to be used only
for purchase of
consolidation
bonds and
stocks.

One and four-
fifths mills for
deficiency and
claims.

SEC. 7. That a tax of one and four-fifths ($1\frac{4}{5}$) of a mill upon every dollar of the value of all taxable property in this State be, and the same is hereby, levied to pay the deficiency or unpaid appropriations and claims of Central National Bank, P. F. Frazee and F. Cardarelli, and others, made by the General Assembly for the fiscal year which commenced November 1, 1873.

Three mills
for County
purposes.

SEC. 8. That a tax not to exceed three (3) mills upon every dollar of the value of all taxable property in each of the several Counties of the State be, and the same is hereby, levied for County purposes for the fiscal year commencing November 1, 1874, the rate to be fixed by the County Commissioners of each County, and by them certified to the County Auditor thereof.

County funds
to be kept sepa-
rate and apart
from other
funds.

And it is hereby made the duty of the County Treasurers to keep the funds raised by the levy made in this Section separate and apart from all other funds, and they are hereby forbidden to pay out any portion of the same, except for County expenses incurred during the fiscal year for which it is levied and collected; and the County Commissioners are hereby forbidden to draw any warrant

Tax not to be
applied to ex-
penses of pre-
vious years.

No contracts
to be made in
excess of levy.

Special taxes.
Sumter, two
mills.

Chesterfield.
Pickens, Marl-
boro, Marion,
two mills.

contrary to the provisions herein provided for, or contract in excess of the levy herein made, except the following Counties: Sumter, where an additional tax of two (2) mills shall be levied, one and one-half mills of which shall be used to pay the past indebtedness of said County, and one-half mill shall be used, if so much be necessary, for building a jail for said County; Chesterfield, Pickens, Marlboro and Marion, an additional tax of two (2) mills,

to be used exclusively for the payment of past indebtedness of said Counties; Abbeville and Oconee, an additional tax of three (3) mills, if so much be necessary, to be used exclusively for the payment of past indebtedness of said Counties; Colleton, one mill, and Darlington, an additional tax of two (2) mills, to be used exclusively for the payment of past indebtedness of said Counties; Newberry, an additional tax of one-half ($\frac{1}{2}$) mill, which shall be used exclusively for the payment of past indebtedness of said County; Barnwell, an additional tax of one and one-half ($1\frac{1}{2}$) mills, which shall be applied to the payment of the past indebtedness of said County *pro rata*; Orangeburg: *Provided*, That one of the three mills above levied shall be used exclusively for the payment of past indebtedness of said County, and, in addition to the regular three mills provided for general purposes and the past indebtedness of Orangeburg County, one and one-half ($1\frac{1}{2}$) mills shall be levied in said County to build a Court House, and the same shall be used exclusively for that purpose; Spartanburg, an additional tax of one (1) mill, to be used exclusively for payment of past indebtedness of said County; Fairfield, an additional tax of one and one-half ($1\frac{1}{2}$) mills, to be used exclusively for the payment of past indebtedness of said County.

A. D. 1874.

Abbeville
and Oconee,
three mills.
Colleton, one
mill.
Darlington,
two mills.

Barnwell,
one and one-
half mills.

Orangeburg,
one and one-
half mills.

Spartanburg,
one mill.

Fairfield,
one and one-
half mills.

SEC. 9. That the proceeds from the taxes levied in the first seven Sections of this Act shall be kept by the State Treasurer separate and apart from each other, and from other public funds, and shall be applied to the purposes for which they are respectively levied, and none other.

State Treas-
urer to keep
funds apart
from each
other.

SEC. 10. The County Auditors and County Treasurers of the several Counties of this State are hereby required, under the supervision of the Comptroller General, to make the collection of the taxes levied under and pursuant to the provisions of this Act in the manner provided by law; and they are hereby forbidden to collect any other tax whatever for the aforesaid fiscal year, unless hereinafter expressly authorized so to do: *Provided, however*, That nothing herein contained shall prevent the collection of special taxes for County purposes, District School tax, poll tax, railroad tax, and taxes levied for the relief of widows and orphans of persons killed because of their political opinions. Any State or County officer who shall fail to comply with or shall evade or attempt to evade the provisions of this Act, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by a fine not less than one thousand dollars, nor exceeding fifty thousand dollars, and be imprisoned in the Penitentiary for a period of not less than one year nor more than five years.

Taxes to be
collected un-
der supervision
of Comptroller
General.

To collect
only such taxes
as are express-
ly authorized.

Proviso.

Penalty for
violation of
this Act.

SEC. 11. That all taxes assessed and payable under this Act shall

A. D. 1874.
 Taxes, in
 what payable.

be paid in the following kinds of funds: Gold and silver coin, United States currency, National bank notes, and Bills Receivable of the State, coupons maturing of bonds issued under Act to reduce the volume of the public debt and provide for the payment of the same, and certificates of indebtedness as are authorized by the Acts of the General Assembly.

Approved March 14, 1874.

NO. 571. AN ACT TO INCORPORATE THE CLARENDON LAND JOINT STOCK AND LOAN ASSOCIATION, OF CLARENDON, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That G. W. Gayman, J. J. Richardson, Pear Boston, Wade Hampton, Isham Burroughs, Hampton Boston, J. D. Warley, P. A. Logan and Rufus Gayman, together with such other persons as now are, or hereafter may be, associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of buying and holding real estate in the County of Clarendon, or at any point within the County or State of South Carolina, and making loans of money, secured by mortgage of real estate, and by the hypothecation of bonds and stocks and other choses in action and personal property, to its members and stockholders, by the name and style of the Clarendon Land Joint Stock and Loan Association, of Clarendon County, S. C. The capital stock of said association to consist of twenty-five hundred shares; but as soon as one thousand shares shall have been subscribed thereto, the said association shall organize and commence operations; said shares to be paid by successive monthly installments of one dollar on each share, so long as the association shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines, penalties and forfeitures for default in their payments, as the regulations and by-laws of said association may prescribe.

SEC. 2. That the said association shall have number and succession of officers and members as shall be ordained and chosen according to the rules and by-laws made or to be made by them for their government; and shall have power and authority, from time to time, and at all times, to make such rules and by-laws as are not repugnant to the Constitution and laws of the land; to have and keep a common seal, and to alter the same at will; to sue and be sued, implead and be impleaded, in any Court of law or equity in this State; and shall have and enjoy every right and privilege inci-

dent and belonging to corporate bodies, according to the laws of the land. A. D. 1874.

SEC. 3. That the funds of said association shall be invested either in the purchase of real estate in the County of Clarendon, South Carolina, or in any County or sub-division of the State of South Carolina, which shall be rented out, leased or sold, and conveyed to the members and stockholders of said association, upon such terms and conditions as, from time to time, may be prescribed by its rules and by-laws, or be loaned out or advanced to the members and stockholders thereof, upon the security and by hypothecation of real estate in the County of Clarendon, or any other sub-division of the State aforesaid, or bonds, stocks or choses in action on personal property, on such terms and conditions as, from time to time, may be prescribed by the rules and by-laws aforesaid. And it shall and may be lawful for the said association to hold and enjoy, for the mutual benefit of its members and stockholders, all such lands, tenements and hereditaments as may be *bona fide* purchased by and conveyed to it; or as may be mortgaged to it by way of security upon its loans and advances; or as may be purchased by or transferred and conveyed to it at sales under judgments or decrees at law or equity, for securing or recovering, or in compromise settlement of any debt or debts due to it; and to sell, alien, barter, exchange, convey, mortgage or otherwise dispose of the same, from time to time, and whenever deemed expedient. Investment
of funds.

SEC. 4. That if any of the funds of the said association shall remain unproductive or uninvested, or unneeded, or uncalled for, for the space of two months, by its own members and stockholders, it shall be lawful for the said association to lend out what moneys may be on hand to others than stockholders, at such rates of interest (on such security, whether mortgage on real estate, choses in action or other personal property,) as may be agreed on, to be safely invested, to be repaid within one year. May lend out
unproductive
funds.

SEC. 5. That whenever the funds and assets of the said association shall have accumulated to such an amount that, upon a fair division thereof, such stockholder, for each and every share of stock held by him or her, shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof in property or assets, and such division and distribution shall have been made, then the said association shall cease and determine: *Provided, however,* That in case the said association shall not have closed its operations and affairs, as above provided for, within a shorter period, then this Act shall continue in force until repealed. Division and
distribution of
assets.

Approved March 14, 1874.

A. D. 1874. **AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO GRANT,
RENEW AND AMEND THE CHARTERS OF CERTAIN TOWNS AND
No. 572. VILLAGES THEREIN MENTIONED."**

Whereas the Commissioners of Election of Charleston County have neglected to call an election for Intendant and Wardens of the village of St. Stephen's, as required by law; therefore,

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of an Act entitled "An Act to grant, renew and amend the charters of certain towns and villages therein mentioned," approved March 9, 1871, be, and the same is hereby, amended by striking out, on the seventh line, the words "Commissioners of Election," and insert instead thereof the words "Clerk of the Circuit Court;" and insert on the eighth line, after the word "Act," the following words:

"Clerk of Court" inserted in lieu of "Commissioners of Election."

Time of election.

"On the first Monday of May, A. D. 1874," so that the same will read as follows: "Shall call the first election, under this Act, on the first Monday of May, A. D. 1874."

Approved March 14, 1874.

No. 573. **AN ACT TO ESTABLISH A PUBLIC FERRY IN WILLIAMSBURG COUNTY.**

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the ferry known as Murray's Ferry, across the Santee River, in Williamsburg County, shall be, and the same is hereby, established a public ferry, and vested in Aaron Martin, his heirs, executors and assigns, until repealed, with the privilege of collecting the following rates of toll, to wit: For each wagon drawn by four horses, mules or oxen, seventy-five cents; for each wagon drawn by three horses, mules or oxen, sixty-five cents; for each wagon drawn by two horses, mules or oxen, fifty cents; for each wagon, carriage or buggy drawn by one horse, mule or ox, twenty-five cents; for each man on horseback, ten cents; for each foot passenger, five cents: *Provided*, That children going to and returning from school, and voters going to and returning from the polls on election day, and clergymen, shall be passed free.

Murray's Ferry chartered.

In whom vested.

Rates of ferriage.

Approved March 14, 1874.

AN ACT TO INCORPORATE THE GREENVILLE AND ASHEVILLE
TURNPIKE COMPANY.

A. D. 1874.

No. 574.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the several persons who shall or may associate together, as hereinafter prescribed, for the purpose of establishing a macadamized turnpike road from the city of Greenville, in this State, to the North Carolina line, and their successors, shall be, and are hereby, incorporated as a body politic, in deed and in law, by the name of the Greenville and Asheville Turnpike Company.

Corporators.

Corporate
name.General
powers.

SEC. 2. That the said corporation, by their name aforesaid, shall have perpetual succession of officers and members, to be appointed according to the by-laws and regulations which they may establish for the government of the said corporation; and they may have a common seal, with power to break, alter and make new the same as often as they shall judge expedient.

SEC. 3. That the said corporation shall be able and capable in law to purchase, have, hold, take, receive, possess, retain and enjoy to itself, in perpetuity, or for any term of years, any estate, real or personal, of what kind or nature soever, and to sell, alien and dispose of the same as they may think proper; and, by the name aforesaid, to sue and be sued, implead and be impleaded, answer and be answered unto, in any Court of law or equity; and to make such rules and by-laws, not repugnant or contrary to the laws of the land, as, for the good order and proper government of the said corporation, may, by the same, be thought expedient or necessary.

SEC. 4. That Frank Coxe, M. J. Bearden, S. S. Crittenden, J. P. Moore, J. H. Goodwin, W. H. Perry, Andrew Miller, F. B. McBee and William T. Shumate, or a majority of them, be, and they are hereby, appointed Commissioners to receive subscriptions for the establishment of the company aforesaid, for which purpose they shall meet on the first Tuesday in June, 1874, at Greenville C. H., and there receive the subscriptions of all such persons as shall be desirous of subscribing and associating for the purpose of becoming members of the corporation.

Commission-
ers.

SEC. 5. That the capital of the said company shall be divided into 500 shares, with the privilege of increasing to 1,500 shares, of one hundred dollars each.

Capital stock.

SEC. 6. That the said company shall be, and they are hereby, authorized and empowered to macadamize the public road leading

Line of road.

A. D. 1874.

from the city of Greenville, in this State, to the town of Asheville, in the State of North Carolina, as far as the North Carolina line; which said macadamized road, or so much thereof as they may macadamize, shall be vested in said company, their successors and assigns, in perpetuity.

Rates of toll. SEC. 7. That said company shall not be permitted, at any time, to charge more for traveling over said macadamized road than after the following rates, to wit: For every carriage or wagon with four wheels, with horses and driver, at the rate of thirty cents per mile; for every two wheeled carriage or wagon, with horses and driver, at the rate of fifteen cents per mile; for every led horse or mule, loose horse or mule, or head of cattle, sheep or swine, at the rate of six and a quarter cents per mile.

May erect toll gates and collect toll.

SEC. 8. That said company shall be authorized and empowered to establish toll gates, and collect toll, whenever they shall have macadamized four miles of said road.

May dispense with covering in certain cases

SEC. 9. That if any part of the ground on the route of said road shall be so hard and compact as to make a good road without any covering of wood, gravel, stone, or any other hard substance, the said company are hereby authorized to construct such part of said road without any such covering; and are also authorized to change the route of said road at such points, and for such distances, as they may think necessary.

May change route.

Liability of stockholders.

SEC. 10. That the said stock and shares may be sold, transferred and assigned and bequeathed by the proprietors, respectively, and the subscribers to said stock shall not be liable for the debts of said company beyond the amount of the stock so subscribed by each of them.

May use any material in vicinity.

Compensation therefor.

SEC. 11. That the said company shall have power to make use of any materials in vicinity of said road, for making and keeping the same in repair, paying a reasonable price for the same; and when they and the owners of such materials cannot agree for the same, to take such materials on valuation so to be made by a majority of three persons, one to be appointed by the company, one by the owner of the materials, and they to select a third person; and the company shall, on the payment of the sum so valued, be vested with the ownership of said materials forever.

SEC. 12. That the said road so macadamized shall be of such width as the said company may deem best.

Approved March 14, 1874.

AN ACT TO ESTABLISH A FERRY ACROSS THE BROAD RIVER,
JUST BELOW WHERE THE GREENVILLE AND COLUMBIA RAIL-
ROAD CROSSES SAID RIVER.

A. D. 1874.

No. 575.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a ferry over Broad River, just below where the Greenville and Columbia Railroad crosses said river, the lands on the east side of said river belonging to Elkins, and on the west on Murdock's land, be chartered and be vested in David R. Elkins, his heirs and assigns, who shall be allowed the following rates of toll, to wit: For a person on horseback, ten cents; for a one-horse team, fifteen cents; two-horse team, twenty-five cents; three-horse team, thirty-five cents; and four-horse teams, fifty cents; ox teams, same as horse teams; foot passengers, five cents; loose horses and mules, five cents each; cattle, three cents; and hogs, sheep and goats, two cents each.

Ferry across
Broad River
vested in D. R.
Elkins.

Rates of fer-
riage.

SEC. 2. That this charter shall remain in force for the term of fourteen years: *Provided*, That children going to and returning from school, school teachers and clergymen, and voters going to and returning from their polling precincts on election days, shall be exempt from paying toll at the said ferry: *And provided, further*, That no person or persons shall be permitted to establish a public ferry within three miles of the same.

Expiration
of charter.

Persons ex-
empt from toll.

Approved March 14, 1874.

AN ACT TO ESTABLISH A FERRY ACROSS THE SANTEE RIVER, No. 576.
IN WILLIAMSBURG COUNTY, AND TO VEST THE SAME IN AARON
MARTIN, HIS HEIRS AND ASSIGNS.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry be, and is hereby, established and chartered, to reach across the Santee River, in Williamsburg County, at Staggers' plantation; and that the said ferry be vested in Aaron Martin, his heirs and assigns, for the term of ten years, and that the following rates of toll be charged and collected, and no more: For every four-horse carriage or vehicle, one dollar; for every two-horse carriage or vehicle, seventy-five cents; for every one-horse carriage or vehicle, twenty-five cents; for every single horse and rider, ten cents; for every foot passenger, five cents; for every head of cattle, goats and hogs, five cents:

Ferry across
Santee River
vested in
Aaron Martin.

Rates of fer-
riage.

A. D. 1874.

Proviso.

Provided, That children going to and coming from school, and voters going to and returning from elections, militia going to and returning from muster, and clergymen, be passed free from toll.

Approved March 14, 1874.

No. 577. AN ACT TO INCORPORATE THE COLLETON MANUFACTURING COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George C. White, Andrew J. Brown, Theodore J. Martin, Lyman A. Good, B. G. Miles, Benjamin T. Oliver, and others, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of "The Colleton Manufacturing Company," for the purpose of manufacturing cotton yarn and cloths, woolen goods, paper, and such other fabrics or articles as the demands of the community may require, and for procuring and making such machinery, to carry on manufacturing in all its branches, and also for carrying on all such business as may be connected with the above purposes, with a capital of five hundred thousand, with the privilege to increase to any extent not exceeding one million dollars, the consent of a majority of the stockholders being first had and obtained.

May acquire
and convey
real estate.

SEC. 2. That said corporation may purchase and hold such real estate as may be required for their purposes, or such as they may deem it for their interest to take in settlement of any debts due them, and may dispose of the same; and may erect such mills, machine shops and other buildings thereon as may be deemed necessary, and may sue and be sued, have and use a common seal, and make such by-laws for the government of said corporation, not inconsistent with the laws of the State, as may be deemed necessary, and shall have, generally, all the rights, powers and privileges in law incident or appertaining to similar corporations.

General powers.

SEC. 3. That this Act shall be a public Act, and continue in force for the term of thirty years.

Approved March 14, 1874.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF LEXINGTON COUNTY TO CHANGE THE COURSE OF MARKET ROAD, KNOWN AS THE "RIVER ROAD," IN SAID COUNTY.

A. D. 1874.
No. 578.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Lexington County be, and they are hereby, authorized, empowered and required to change the course of Market Road, known as the River Road, in said County, as follows: To leave the old route near D. J. Epsting's, to proceed from thence by Mrs. R. Shealing's, thence by W. Ballentine's, thence by Captain F. W. Frick's Mills, and from thence to intersect with the original route somewhere near Hon. J. H. Counts'.

Course of
Market Road
changed.

Approved March 14, 1874.

AN ACT TO MAKE IT THE DUTY OF THE COUNTY COMMISSIONERS OF CHARLESTON COUNTY TO TAKE CARE OF AND KEEP IN PROPER REPAIR JAMES ISLAND AND HAULOVER CUTS, THE SAME AS OTHER THOROUGHFARES.

No. 579.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it is hereby made the duty of the County Commissioners of Charleston County to put in proper repair the cut known as James Island Cut, at James Island, and Haulover Cut, between Seabrook's and John's Island, and take charge of the same as of any other public thoroughfare.

County Com-
missioners to
repair cuts.

SEC. 2. And the County Commissioners of the said County are hereby authorized and empowered to receive estimates for the cleaning out of said cuts to their proper depths, and award the contracts as provided by law: *Provided*, That the work shall be done and finished in such a manner, and at no less a depth as to permit ordinary row-boats to pass through the same at half high water.

May receive
estimates for
cleaning out
cuts.

SEC. 3. And it shall be the duty of said Commissioners to restore and keep in repair the banks of James Island Cut, in a manner as to be passable to foot travelers, and also to protect from overflow the land adjoining.

To keep banks
in repair.

A. D. 1874.

To set aside
taxes for that
purpose.

SEC. 4. That said County Commissioners are hereby empowered and directed to set aside and use a sum of money out of the County taxes, from year to year, sufficient to carry out the provisions herein specified.

SEC. 5. All Acts and parts of Acts in conflict with this Act are hereby repealed.

Approved March 14, 1874.

No. 580. AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF GREENVILLE COUNTY TO OPEN AND ESTABLISH A PUBLIC ROAD LEADING FROM IGNATIUS FEW'S TO TYGER RIVER CHURCH.

County Com-
missioners to
repair certain
road.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Greenville County be, and they are hereby, authorized and empowered to open and establish and keep in repair a public road leading from Ignatius Few's, on the Gap Creek Road, by way of Jenkins' Mill, to Tyger River Church, on Tugalo Road.

Approved March 14, 1874.

No. 581. AN ACT TO AUTHORIZE AND EMPOWER CERTAIN COUNTIES TO ISSUE BONDS IN SUBSCRIPTION FOR PREFERRED STOCK OF THE CHERAW AND CHESTER RAILROAD COMPANY.

Certain Coun-
ties authorized
to issue bonds
in subscription
for preferred
stock of Cher-
aw and Ches-
ter Railroad.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the several Counties of this State through which the Cheraw and Chester Railroad Company are authorized to construct a railroad, or any branch thereof, be, and are hereby, authorized and empowered to issue bonds in subscription for preferred stock of the said company, subject to the conditions and provisions hereinafter mentioned.

County Com-
missioners to
order election
to decide
whether sub-
scription shall
be made.

SEC. 2. The Board of County Commissioners of each of the said Counties shall, within sixty days after receiving a written request to that effect from the proper officers of the said company, endorsed or approved by at least one hundred legal voters of the County, order and provide for the holding of an election, by the legal voters of the County, to decide whether such subscription shall be made, the amount of such subscription not to exceed five per cent. on the assessed value of the real and personal property in the County, and to be made in bonds of the County, bearing interest at

Subscriptions
not to exceed
five per cent.
of assessed
value of prop-
erty in County.

the rate of six per cent. per annum, and payable in thirty years after date. The voting shall be by ballot, which shall be either written or printed, or partly written or partly printed, and shall contain either the words "Subscription for preferred stock of the Cheraw and Chester Railroad Company—Yes," or the words "Subscription for preferred stock of the Cheraw and Chester Railroad Company—No." The election shall be conducted and the Managers shall make the returns in the same manner as is now provided by law for general elections. The Commissioners of the election shall, within ten days after the time of holding the same, forward to the Board of County Commissioners a return, setting forth the entire number of votes cast thereat, and also the number of votes cast respectively for and against making such subscription.

A. D. 1874.

Manner of
voting.

SEC. 3. If a majority of the entire number of votes cast at the election shall be in favor of making such subscription, the Board of County Commissioners shall immediately cause such bonds to be printed or engraved, and sign the same, and also have the same countersigned by their Clerk and sealed with their seal. The said bonds shall then be numbered and registered in the office of the Clerk of the County.

County Com-
missioners to
cause bonds to
be printed.

SEC. 4. When the said company shall actually commence the construction of a railroad within the County, and shall deposit with the County Treasurer of the County a bond of the said company, executed in such form as shall be approved by the Judge of the Circuit, in a sum sufficient to secure the payment of the interest on the said bonds until the said railroad shall be completed in the County, the Board of County Commissioners shall deliver the said bonds to the said company and publish the fact of such delivery in the official paper of the County. On the completion of the said railroad in the County, the Board of County Commissioners shall receive from said company an amount of preferred stock of the said company equal to the amount of the said bonds, which preferred stock shall bear interest at the rate of seven per cent. per annum.

County Com-
missioners to
deliver bonds
to company
and publish the
fact.

SEC. 5. The Board of County Commissioners shall invest the additional one per cent. received from the said preferred stock in securities, whereby the same shall draw interest semi-annually, and shall also invest the interest received for the same until an amount shall have accumulated therefrom sufficient to pay the said bonds, when the said bonds shall be paid and cancelled.

County Com-
missioners to
invest moneys
received.

SEC. 6. All moneys received as interest on the said preferred stock shall be held by the County Treasurer and paid out on the order of the Board of County Commissioners.

Moneys to be
paid out on the
order of the
County Com-
missioners.

Approved March 14, 1874.

A. D. 1874.
No. 582.

AN ACT TO INCORPORATE THE GERMANIA SAVINGS BANK, OF
CHARLESTON, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Jacob Small, John Wulbern, W. Knoblock, H. Klatte, A. F. Stelling, H. H. Knee, O. F. Wieters, John J. Small, G. C. Smitzer, W. R. Jervy, J. F. Green, together with such other persons as now are, or may hereafter be, associated with them, shall be, and they are hereby, constituted and made a body corporate and politic, under and by the name of the Germania Savings Bank, of Charleston, South Carolina, with a capital stock of thirty thousand dollars, which may be increased from time to time, at the will of the stockholders, to any amount not exceeding five hundred thousand dollars: *Provided*, That this Act shall not have the force of law until thirty thousand dollars of the capital stock shall have been paid in.

Corporators.

Corporate name.

Capital stock.

SEC. 2. The capital stock of the said corporation shall be divided into shares of the amount of two hundred and fifty dollars each.

May receive
and invest de-
posits.

SEC. 3. The said corporation shall have power to receive money on deposit, to allow interest thereon, and to invest such deposits, their capital stock and other funds in bank or other stocks, in bonds, notes, bills, choses in action and other securities, and in the bonds or stocks of this or any other State or of the United States; to buy and sell gold and silver, and any and all kinds of bonds, notes, bills, securities, choses in action and other property; to lend money on real estate, secured by mortgage or otherwise, on the pledge of gold or silver, bonds, notes, bills, stocks, choses in action and securities of all or any kind. And the said corporation shall have power and authority to use and keep a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded, in any Court of law or equity in this State; and to have and enjoy all and every right, privilege, power and franchise incident to incorporated bodies; and shall be capable of taking, holding and disposing of their capital stock and all other property, of every kind, according to such rules and regulations as they may from time to time establish, and also of taking, holding, dividing, disposing of or investing the increase, profits or emoluments of their said capital stock or other property as aforesaid, and shall have the right and power to acquire, purchase, take and hold, in their corporate name, lands and real estate and personal property, and the same to demise, grant, sell, exchange and convey in fee simple or otherwise.

General pow-
ers.

May acquire
and invest
money in real
estate.

SEC. 4. The corporation shall have such officers as shall be

fixed by the by-laws, and such other agents and employees as may from time to time be deemed necessary by the corporation; the said officers, agents and employees to be selected and chosen at such time, in such manner, and for such terms of office, and to be entitled to receive such compensation, as shall be fixed and established by the rules and by-laws of the corporation; and any of said officers, agents and employees may be required to give such security for the faithful performance of their respective duties as shall be fixed by the said rules and by-laws. The stockholders shall have power and authority to make such rules and by-laws not repugnant to the laws of the land, and to modify and amend the same in such manner as they see fit. The business and property of the said corporation shall be managed and disposed of, and dividends of the profits of the business of the corporation shall be made and declared, in such manner as may be prescribed and regulated by said rules and by-laws. A representation of a majority of the shares of the entire stock shall be requisite to constitute a quorum at any and all meetings of the stockholders, and at such meetings each share shall entitle its holder to one vote. Absent stockholders may be represented, and vote by agents or proxies, provided the persons holding such proxies, or acting as such agents, be stockholders in the corporation.

A. D. 1874.

Officers, appointment, powers and duties.

Business, how managed.

Quorum.

Proxies.

Qualification of Directors.

SEC. 5. No person shall be a Director in the said corporation unless he be a *bona fide* stockholder of the same.

Number of shares of each stockholder limited.

SEC. 6. Until the first election of officers by the stockholders shall have been held, it shall not be lawful for any one person to subscribe more than four shares of the stock of the corporation hereby created; and the corporation shall be authorized to limit the number of shares which shall be held by any one person, and to alter and abolish such limits whenever they deem it proper to do so.

May increase capital stock.

SEC. 7. The said corporation shall have power and authority, from time to time, to increase their capital stock over and above the amount paid in as set forth in the first Section, whenever a majority of the stockholders, each share being entitled to one vote, shall, at a regular meeting, or the Board of Directors, by their authority, shall determine; and such additional stock shall be divided exactly among the stockholders in proportion to their shares in the amount of the capital stock at the time of said increase; but if any stockholder should not desire to take his or her proportion of such increased stock, the same shall be allotted among the remaining stockholders, or books may be opened for the purpose of obtaining additional subscribers to such increased stock in such manner as the corporation may deem expedient, and in no case shall the members who are unwilling to take their pro-

Additional shares, how to be disposed of.

A. D. 1874.

portion in such increase of stock be assessed to contribute to or to make up such increase. Such additional stock shall be subject to all the same provisions, restrictions and conditions as are directed by this Act, and any such additional subscribers shall thereby become members of this corporation, and be subject in like manner, in proportion to their interest, to all the liabilities, responsibilities and conditions imposed upon the members of the same.

May enforce rules.

SEC. 8. The said corporation shall have full power to enforce upon their members the due observance of all rules and by-laws for the good government and management of the affairs of the said corporation; and, to this end, if need be, shall and may institute and maintain, in their corporate name, against any one or more of their members, all necessary suits, actions and pleas, either at law or in equity, for the recovery of any sum or sums of money to the use of the said corporation, in as ample a manner as such suits might be maintained against persons not members of said corporation.

May institute suits, etc.

Liability of stockholders.

SEC. 9. The stockholders of said corporation shall be liable to the amount of their respective share or shares of stock in the same for all its debts and liabilities upon note, bill or otherwise; and no Director or other officer of said corporation shall borrow any money from said corporation; and if any Director or other officer shall be convicted, on indictment, of directly or indirectly violating this Section, he shall be punished by fine or imprisonment, at the discretion of the Court.

Deposits by married women and minors.

SEC. 10. When any deposit is made by a person being a married woman or minor, the said corporation may pay to such person such sum or sums so deposited on the check, order or receipt of such depositor, which said check, order or receipt shall be a lawful discharge therefor.

SEC. 11. This Act shall be deemed and taken to be a public Act, and shall be judicially taken notice of without special pleading, and the charter hereby granted shall continue in force for thirty years.

Approved March 14, 1874.

No. 583. AN ACT TO INCORPORATE THE PRESS UNION LABORERS' ASSOCIATION, OF CHARLESTON.

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. Bur-
tin, A. Chisolm, J. McKensie, H. Foster, J. Glover, D. Williams,
F. Palmer, E. Mott, W. P. Logan, S. Furguson, O. Scott, L. Phil-

A. D. 1874.

lips, G. Simmons, C. Palmer, A. Mickens, H. Johnson, J. Millikin, C. Howard, W. Parker, Wm. Gibson, E. Brown, J. McCants, N. Edwards, A. Mention, J. Brown, R. Perrin, R. Smalls, R. Smith, R. Smith, second, S. Grant, T. Monroe, Samuel Grant, A. McNeil, A. Pinckney, W. Davis, J. Cain, H. Drayton, J. Hunes, N. Green, S. Thompson, F. Rosier, D. Miller, W. Stewart, F. J. Ross, B. Furguson, M. Read, M. Grant, F. Singleton, J. Nesbit, F. H. Peace, J. Wilson, E. Montgomery, J. Davis, J. Smith, F. Harrison, F. Bell, J. Mechanic, F. Shere, J. Miles, and all other persons who may associate with them, shall be a body politic and corporate, by the name of the Press Union Laborers' Association, of Charleston, and by that name shall have succession of officers and members, may sue and be sued, plead and be impleaded, in any Court whatsoever, and may have and exercise all such corporate powers and franchises as are hereinafter provided, or which are customarily incident to bodies corporate in this State.

Corporate
name.

SEC. 2. The object and business of the said association shall be, through the co-operation of the members to that end, to protect the laborer, and to promote his interests, so that he may obtain fair and remunerative compensation for his toil and services.

Objects of
corporation.

SEC. 3. The corporate powers and franchises of the said association shall be vested in a Board of President and Vice-President, and a Standing Committee. The persons named in the first Section of this Act, together with all such other persons as they may select, shall constitute the first Standing Committee. Upon their first organization, the Standing Committee, and afterwards the full Board, at the meeting next after their annual election in each year, shall elect from their own number a President and a Vice President, who shall respectively hold office for the term of one year, and until their successors shall be elected. The Board shall have power to elect or to appoint a Secretary, and such other officers as they shall deem necessary for conducting the affairs of the association, who shall hold office during the pleasure of the Board. The Board may appoint a President and Vice President *pro tempore*, as occasion may require.

Officers.

SEC. 4. The Board shall have power and authority to declare by by-laws what number of members, not less than twelve, shall constitute a quorum for the transaction of business. The Board may also make all by-laws, rules and regulations, not repugnant to the laws of the land, for the government of its members and associates, and for the management of its affairs, and the same may alter, amend or repeal at pleasure. They may adopt and keep a common seal for the use of the Board, and the same may alter at will.

Duties of
Board.

A. D. 1874.

Special meet-
ings.

SEC. 5. The President may call special meetings of the Board whenever thereto requested, in writing, by any ten members of the Board.

Board—term
of officers.

SEC. 6. The Standing Committee, within sixty days after their organization, shall, by lot, divide themselves into three classes of one-third of the whole number each. The term of the first class shall expire on the first Wednesday of April in the year 1875; that of the second class shall expire in one year after that time; and that of the third class shall expire at the end of two years from said date; so that in each consecutive year an election shall be held to fill the vacancies made as aforesaid. Any person whose term has expired shall be eligible for re-election. All elections provided for shall be by ballot, and a majority shall elect: *Provided*, At any annual meeting the Board may reduce the number of the Standing Committee to a number not less than twenty members, and the same power and franchises shall vest and reside in such Board, so diminished, as were before vested therein, with any greater number of members.

Proviso.

SEC. 7. This Act shall be deemed a public Act, and shall remain in force for the term of fifteen years.

Approved March 14, 1874.

No. 584. AN ACT REQUIRING ALL PUBLIC OFFICERS TO PAY OVER MONEYS OFFICIALLY IN THEIR HANDS TO THEIR SUCCESSORS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be the duty of every Sheriff, Judge of Probate, Clerk of the Court of Common Pleas, County Treasurer, and any other State or County officer entrusted with funds by virtue of his office, upon his retiring from office, to turn over to his successor all moneys received by him as such officer, and remaining in his hands as such officer, within thirty days from the time when his successor shall have entered upon the duties of his office, in the same manner as he is required by law to turn over the furniture, books and papers; and the successor shall receive and be responsible for the moneys so turned over to him, in the same manner as he is liable for other moneys received by him officially; and any public officer neglecting or refusing obedience to the requisition herein contained shall be held guilty of a misdemeanor, and, upon conviction, shall be liable to a fine of one thousand dollars, and imprisonment not exceeding

Public officers
to turn over
money in their
hands to suc-
cessors.Successors to
be responsible
for same.Penalty for
violation of
this provision.

twelve months, besides his liability on his official bond, at the suit of any person aggrieved by such neglect.

A. D. 1874.

SEC. 2. Upon the death of any such officer, his personal representative or representatives shall pay over to the successor of such deceased officer all moneys which such, deceased officer had in his hands, officially, at the time of his death, within nine months after he, she or they shall have assumed the administration of such estate; and upon his or their neglect or failure so to do, without good cause, the estate of such deceased officer and the sureties on his official bond shall be liable to pay to such successor the amount due, with interest at the rate of five per cent. per month thereon, after the expiration of such term of nine months, to be recovered by action brought by such successor for the benefit of the parties entitled to receive such money.

Representative of deceased officers to turn over moneys to his successor.

Penalty for violation thereof.

SEC. 3. It shall be the duty of all such officers who shall have ceased to hold such offices, by reason of the expiration of their terms of office, or by resignation or otherwise, within thirty days after the passage of this Act, to turn over to the qualified successors of such officers all funds received by such officers and remaining in their hands, or in the hands of their legal representatives; and in case of failure so to do, they shall be subject to like penalties as are hereinbefore mentioned.

All officers having ceased to hold office to turn over moneys in like manner.

SEC. 4. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 16, 1874.

AN ACT TO CHARTER THE CHARLESTON AND SULLIVAN'S ISLAND RAILROAD COMPANY. No. 583.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Bernard O'Neil, R. C. Gilchrist, G. I. Cunningham, C. R. Brewster, W. J. McKinlay, L. J. Barbot, F. J. Smith, C. H. Simonton, E. W. M. Mackey, R. B. Artson, W. R. Jervey, T. Hurley, M. P. O'Connor, O. A. Bowen, T. G. Barker, A. S. Johnson, S. E. Gaillard, W. N. Taft, A. O. Jones, Geo. W. Williams, C. H. Sperry, John A. Moroso, John A. Mushington, and their successors, be, and they are hereby, declared a body politic and corporate, under the name and style of the Charleston and Sullivan's Island Railroad Company, and under that name and style shall be, and are hereby, made capable to have, purchase, hold and enjoy, and retain to their suc-

Corporators.

Corporate name.

A. D. 1874.

General powers.

cessors, lands, rents, tenements, goods, chattels and effects of whatsoever kind or quality, and the same to sell, alien or dispose of; to sue or be sued, plead or be impleaded, answer and be answered, defend and be defended, in Courts of record, or any other place whatsoever; to have perpetual succession; to have and to exercise all the rights and privileges of all railroad corporations of a similar kind now existing, or hereafter to be created, in this State, except the right to interfere with the chartered rights and privileges of such corporations relative to the building and construction of roads.

SEC. 2. That in addition to the rights, privileges and franchises conferred upon this company under the provisions of this Act, they shall also have authority and power, and they are hereby authorized and empowered, to build and construct a railroad by the most practicable route through Christ Church Parish to Sullivan's Island, and connect the same with the city of Charleston by ferry.

Capital stock. SEC. 3. That for the purpose of creating the capital stock of the said company, which shall not exceed two hundred and fifty thousand dollars, the corporators before named, or any three of them, to be selected by the said corporators, or a majority thereof, are hereby appointed Commissioners, whose duty it shall be, as soon after the passage of this Act as may be convenient, to open books of subscription at such places and at such times as to them shall seem best, and under such rules as they may prescribe. The capital stock of the said company to be divided into shares of fifty dollars each.

When may meet and organize.

SEC. 4. That whenever the sum of two thousand dollars is subscribed to the capital stock of said company, it shall be the duty of the Commissioners above mentioned to call a general meeting of the stockholders, after giving such notice as to them shall seem sufficient, and at such times and places as they shall determine, and at all general meetings of said stockholders not less than a majority of all the stock subscribed shall constitute a quorum for the transaction of business, and said stockholders, when so met in general meeting, shall have power to elect a President and Directors for said company, whose term of office shall be for one year, and until others are chosen. In the election of President and Directors, and in enacting such laws as may be necessary, the stockholders shall be entitled to vote as follows, viz.: One vote for each share owned, not exceeding five; one vote for every two shares above five, and not above ten; one vote for every four shares above ten, and not above twenty; one vote for every five shares above twenty. No fraction shall be counted making less than half a vote.

Election of officers.

Manner of voting.

SEC. 5. That the said company may at any time during the existence of this charter effect a consolidation with any other railroad company, forming a continuous line with its own, according to the provisions of Section 6 to 14, inclusive, Chapter LXV, of the Revised Statutes.

A. D. 1874.
May unite or consolidate with other companies.

SEC. 6. That for the purpose of assisting the said company in the construction of the road, all the land on Sullivan's Island which has not been taken up and assigned to occupants by virtue of the rights conferred on the Town Council of Moultrieville, commencing at Simons' street, and extending east the entire width of the island for one mile, is hereby made over and vested in the said company.

Certain unoccupied land granted to said company.

SEC. 7. That the said railroad company shall be subject to the provisions of an Act of the General Assembly of South Carolina, ratified September 22, 1868, entitled "An Act to declare the manner by which the lands or the right of way over the lands of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement:" *Provided, however,* That nothing herein contained shall be so construed as to exempt the company from the payment of taxes.

Subject to provisions of certain Act.

SEC. 8. That the said railroad shall be commenced within three years, and be completed within seven years.

SEC. 9. That this Act shall go into effect on and after its passage, and all Acts or parts of Acts inconsistent with any of the provisions of this Act are hereby repealed.

Approved March 16, 1874.

AN ACT TO INCORPORATE THE CAROLINA SAVINGS BANK, OF No. 586.
CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That E. W. M. Mackey, W. R. Jervy, George I. Cunningham, Jacob Williman, W. H. Jones, and such other persons as may hereafter be associated with them, and their successors and assigns, are hereby constituted a body corporate, under the name of the Carolina Savings Bank, of Charleston, and by that name shall have succession, with such powers and privileges as are hereinafter provided, subject, however, to the provisions of Section 6 of Article III of the Constitution of this State.

Corporators.

Corporate name.

SEC. 2. The capital stock of the said corporation shall be one hundred thousand dollars, divided into two thousand shares of fifty dollars each, and when the said amount of one hundred thousand

Capital stock.

A. D. 1874.

Powers and
privileges.

dollars shall have been actually subscribed and paid, the said corporation may organize and proceed to business under this Act.

SEC. 3. The said corporation shall have power and authority to receive deposits, and to invest the same, its capital stock and other funds, in bank or other stocks, in the purchase of bonds or stocks of this or any other State of the United States, or of the United States; to buy and sell gold and silver; to lend money on unencumbered real estate, in amounts not beyond seventy-five per cent. of its actual value; and the said corporation shall have power and authority to have, use and keep a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded, in any Court of law or equity in this State, and to have and enjoy all and every right, privilege, power and franchise incident and belonging to incorporated bodies; and shall be capable of taking, holding and disposing of its capital stock according to such rules and regulations as it shall from time to time establish, and also taking, holding, dividing, disposing of or investing the increase, profits or emoluments of its said capital stock; and shall have the right and power to acquire, purchase, take and hold, in its corporate name, lands and real estate, and the same to devise, grant, sell, assign, exchange and convey, in fee simple or otherwise; and the said corporation shall have authority to establish branch offices at such other points in the State as it may elect.

Proviso.

SEC. 4. The said corporation shall prescribe rules and regulations relative to deposits made, and the substance of such rules and regulations shall be printed in the book of deposit received by each depositor. The said corporation shall also be authorized to make such by-laws as may be deemed necessary for its conduct and government: *Provided*, That each stockholder of the said corporation shall be entitled to one vote for each share of stock owned and held by him or her in all elections for officers of the said corporation, and in all questions affecting the interests of the said corporation, and which may arise at meetings of the stockholders of the same: *And provided, also*, That such by-laws are not repugnant to the Constitution and laws of this State or of the United States.

Officers.

SEC. 5. The business and corporate powers of the said corporation shall be exercised by a Board of not less than five Directors, who shall elect from their number a President.

SEC. 6. The Board of Directors, out of the funds and earnings of said corporation, shall defray its expenses and pay its debts, and may declare and pay out of the surplus net profits of its business, as the same from time to time arise and accrue, to its stockholders, or their duly authorized attorneys, such dividends as they may deem expedient.

SEC. 7. The capital stock of said corporation may, at any time, be increased to an amount not exceeding five hundred thousand dollars, by the addition of new shares of fifty dollars each, duly subscribed for and paid in, in such manner and upon such terms as a majority of the Board of Directors shall prescribe.

A. D. 1874.
Capital stock
may be in-
creased.

SEC. 8. This Act shall be deemed a public Act, take effect when twenty thousand dollars of the capital stock of said bank shall have been paid in, and satisfactory evidence of the same is furnished to the Comptroller General, and shall continue in force for twenty-one years.

When to take
effect.

Approved March 16, 1874.

AN ACT TO INCORPORATE THE SOUTHERN MANUFACTURING COMPANY. No. 587.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Charles R. Brewster, E. W. M. Mackey, J. B. Patrick, Louis J. Barbot, W. R. Jervey, S. E. Gaillard, G. I. Cunningham, A. O. Jones, and all such other persons who may associate with them, shall be, and are hereby, incorporated and constituted a body politic and corporate, under the name and style of the "Southern Manufacturing Company," and by that name shall have succession for forty years; and shall have power to contract and be contracted with, to sue and be sued, to have and use a common seal, to borrow money upon their bonds or other obligations, for such sums and upon such conditions, as to time and place of payment and rate of interest, as may be agreed upon between the contracting parties, to purchase and hold such real estate and personalty as may be necessary for the exercise and enjoyment of the rights, powers and privileges conferred by this Act and are incident to corporations.

Corporators.

Corporate
name.

Powers and
privileges.

SEC. 2. The said corporation shall have full power and authority to manufacture gas, and the exclusive right to supply the municipality of Moultrieville and the residents of Sullivan's Island, at a price not exceeding six dollars (\$6) per thousand feet, to manufacture oil, tar, turpentine, rosin, varnish and paints; to manufacture gas and water pipes, and to contract for the construction of gas and water works in any other places desiring to secure such improvements. The business office of the company shall be located in Charleston, but their factories may be erected in any part of Charleston County that may be most convenient for conducting their operations.

Object of cor-
poration.

A. D. 1874.

Corporation
may take land
necessary for
the purpose of
laying pipes,
&c.

Proviso.

SEC. 3. The said corporation shall, be, and is hereby, authorized to condemn and take such lands as may be necessary for the establishment of their reservoirs and works; and the right of way through all lands, to lay their pipes and conductors, and to keep the same in repair, is hereby granted them: *Provided*, That the company shall make compensation to the owner of the real estate so condemned and taken, or through which the pipes may be laid. And the said company are hereby authorized and empowered and invested with the exclusive privilege of laying down pipes through all or any of the streets, lanes, alleys, avenues and public grounds of Moultrieville and Sullivan's Island, to supply the inhabitants thereof with gas, and for this purpose may take up the pavements or sidewalks upon such streets: *Provided*, That said pavements and sidewalks shall be taken up in such manner as to give the least inconvenience to the inhabitants of the island, and that the same shall be replaced with all convenient speed by and at the expense of said company.

Capital stock.

SEC. 4. The capital stock of said company shall be fifty thousand dollars, with the privilege of increasing the same to three hundred thousand dollars by vote of the stockholders. Said stock shall be divided into shares of twenty-five dollars each, and each share upon which all legal calls have been paid shall entitle its holder to one vote in all elections, and upon all votes taken in any meeting of the stockholders relating to by-laws or any affairs of the company.

Officers.

SEC. 5. The management of said company shall be vested in a Board of not less than five Directors, who shall be elected at a general meeting of the stockholders annually; but the persons named in the first Section of this Act shall constitute the first Board of Directors, and shall continue in office until their successors have been duly elected, and may open books and take subscriptions to the capital stock of said company in such manner as they may deem expedient. The Board shall elect one of their number to be President of said company, and may fill all vacancies in their number. They may, also, appoint a Secretary and Treasurer for said company, and may take from their Treasurer a bond, in such sum as they may deem sufficient, for the proper performance of his duties, and for correctly accounting for all moneys which may come into his hands.

Stockholders
failing to pay
installments
due on stock
liable to for-
feiture of same.

SEC. 6. Any stockholder who shall fail to pay any calls made by the Directors shall forfeit his stock and all payments thereon, or the President and Directors may recover the amount of such calls by suit. The shares in the capital stock shall be deemed personal estate, and be transferable only on the books of the company.

The company may organize whenever the sum of fifteen thousand dollars is subscribed.

A. D. 1874.

SEC. 7. Any person who shall injure or destroy, or cause to be injured or destroyed, any of the property of the said company shall forfeit and pay to the said corporation treble the amount of damages sustained by any such injury, to be recovered by action in any Court having cognizance thereof.

Persons injuring property of corporation to be liable for damages.

SEC. 8. To secure the payment of bonds issued or moneys borrowed, the President and Directors may mortgage all the property of the company existing at the date of the mortgage, as well as all the property to be afterwards acquired by the company, and the franchise granted by this Act. And in case of foreclosure and sale under such mortgage, the purchaser or purchasers shall succeed to, and be vested with, all the powers and privileges, and be subject to all the duties and liabilities, of said company.

Property of the corporation may be mortgaged.

SEC. 9. As it is the acknowledged policy and interest of the State to encourage and foster domestic manufactures, the said company shall be entitled to and receive a bounty of an annual sum equal to the amount of taxes paid by said company, for the period of ten years from the date of the commencement of their operations.

Corporation to receive bonds from the State, annually, equal to amount of taxes paid by them.

Approved March 16, 1874.

AN ACT TO INCORPORATE THE CHARLESTON FERTILIZER COMPANY. No. 588.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Charles F. Panknin, William R. Caldwell, Oscar Aikel, Daniel S. Silcox, W. R. Jervey, E. W. M. Mackey, James F. Green, W. N. Taft, N. T. Spencer, A. O. Jones, W. J. McKinlay, Rufus C. Barkly, and George Dick, and their associates and successors, are hereby made and created a body politic and corporate in law, for the purpose of carrying on any kind of mining, manufacturing or chemical business, with a capital of one hundred thousand dollars, to be divided into one thousand shares of one hundred dollars each: *Provided, however,* The company shall not organize until ten thousand dollars of capital stock has been subscribed to.

Corporators.

Provido.

SEC. 2. That said company shall have power, from time to time, to increase their capital stock to any amount not exceeding five hundred thousand dollars, including their present capital stock, whenever a majority of the stockholders present at any general

May increase capital stock.

A. D. 1874.

meeting, or the Board of Directors, by their authority, shall determine; and such additional stock shall be divided equally among the stockholders in proportion to their shares in the capital stock of the company at the time of such increase; but in case any stockholder should not desire to take his or her proportion of such increased stock, the same shall be allotted among the remaining stockholders, or books may be opened for the purpose of obtaining additional subscribers to such increased stock, in such manner as the company may deem expedient; and in no case shall the members who are unwilling to take their proportion in such increase of stock be assessed to contribute or make up such increase. Such additional stock shall be subject to all the same provisions, restrictions and conditions as are directed by the provisions of this Act, and any such additional subscribers shall thereby become members of this company, and subject, in like manner, in proportion to their interest, to all the burdens, liabilities, responsibilities and conditions imposed upon the members of this company.

Treasurer of corporation may sell shares upon which any installment is due.

SEC. 3. That if the proprietor of any share shall neglect to pay any installments assessed thereon for the space of thirty days after the time appointed for the payment thereof, the Treasurer of the company, by the order of the Directors, may sell by public auction a sufficient number of shares standing in the name of such stockholder to pay all the installments then due from him, with all necessary incidental charges. The Treasurer shall give notice of the time and place of sales, and of the sum due, by advertising the same three weeks successively before the sale in one of the Charleston newspapers, and a bill of sale of the share or shares so sold, made by the Treasurer, shall transfer said stock to the purchaser, who shall be entitled to a certificate thereof.

Place of sale to be advertised.

Shareholders to be liable for debts of corporation.

SEC. 4. That every shareholder of the said company shall be individually liable for the debts contracted during the time he or she shall be a shareholder in said company to the extent of ten per cent. of the par value of his or her shares in the same; that no person holding such stock as collateral security shall be personally subject to any liability as stockholder of such company, but the person pledging such stock shall be considered as holding the same, and shall be liable as a stockholder accordingly: *And provided, further,* That no stockholder shall be personally liable for the payment of any debt contracted by the said company which is not to be paid within one year from the time the debt is contracted, nor unless a suit for the collection of such debt shall be brought against said company within one year after the debt shall become due, and no suit shall be brought against any stockholder who shall cease to be a stockholder in said company for any debt

so contracted, unless the same shall be commenced within two years from the time he shall have ceased to be a stockholder in said company, nor until an execution against the company shall have been returned unsatisfied in whole or in part.

A. D. 1874.

SEC. 5. That the said company shall have such number of officers as shall be ordained and chosen by the rules and by-laws to be made for their government and direction, and shall have power and authority to make all rules and by-laws, not repugnant to the laws of the land; to regulate the issue of scrip and transfer of shares; to have and to keep a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded, in any Court of law or equity; to purchase, take and hold, sell and alien, in fee simple or for any less estate, lands or tenements, hereditaments, goods, chattels, rights and credits which may be connected with, or in any manner conducive to, the purpose for which said company is established; to dig and mine for earths, marls, rocks and minerals, and to contract with individuals or with corporations, municipal or private, for the purchase, removal or collection, in any manner, shape or form, of organic or inorganic substance; to manufacture the same, and such other material as they may purchase, into chemicals, acids and fertilizers; to carry on trade therein, and to cultivate such lands as may be purchased by the company for the purposes aforesaid.

Powers and privileges.

SEC. 6. That this Act shall be deemed and taken to be a public Act, and shall continue of force for twenty-one years.

Approved March 16, 1874.

AN ACT TO AUTHORIZE THE CITY COUNCIL OF CHARLESTON TO
ISSUE SEVEN PER CENT. COUPON BONDS FOR THE PURPOSE OF
TAKING UP OVER DUE STOCK OF THE SAID CITY. No. 589.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of taking up the stock of the city of Charleston, which is now over due, or which shall hereafter fall due, the City Council of Charleston be, and they are hereby, authorized and empowered to issue coupon bonds to an amount not exceeding five hundred thousand dollars, said bonds to bear interest at seven per centum per annum, payable semi-annually, and to be exchanged at par for the over due stock, to bear date from the date of payment of the certificates of the said stock, for which they shall be respectively exchanged, and to be made payable twenty years from date.

City Council
of Charleston
to issue coupon
bonds in ex-
change for
over due stock.

A. D. 1874.

Bonds not
taxable by city.

City Council
to designate
places where
principal and
interest shall
be paid.

SEC. 2. The said bonds shall not be taxable by the city of Charleston, for any purpose whatsoever, and the coupons shall be receivable in payment of taxes due to the said city.

SEC. 3. That the principal and interest of said bonds shall be payable at such places as the City Council may, by ordinance, provide.

Approved March 16, 1874.

No. 590. AN ACT TO CHARTER FRIENDLY FERRY, ACROSS THE EDISTO RIVER.

Friendly Fer-
ry re-charter-
ed.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the ferry known as Friendly Ferry, across the Edisto River, be, and the same is hereby, chartered, and its chartered rights vested in James Friendly, his heirs and assigns. The rates of toll shall conform to the provisions of Chapter forty-seven of the General Statutes of South Carolina.

SEC. 2. This Act shall be deemed a public Act, and remain in force until repealed.

Approved March 17, 1874.

No. 591. AN ACT TO CHARTER A FERRY ACROSS STONO RIVER, IN COLLETON COUNTY.

Charter of
ferry across
Stono River
vested in cer-
tain persons.

Rates of toll.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry shall be, and the same is hereby, established from a place known as James' Landing, on the Stono River, in Colleton County, to a point known as Jenkins' Landing, on said river, and that the said ferry shall be vested in James Stanford, Joe Hines, Robert Tarlton, T. Small and Hackey Simmons, their heirs and assigns, for the term of fourteen years, with the following rates of toll, to wit: For each man and horse, fifteen (15) cents; for each led horse, ten (10) cents; for each foot passenger, five (5) cents; for each vehicle drawn by four (4) horses, eighty (80) cents; for each vehicle drawn by two (2) horses, fifty (50) cents; for each vehicle drawn by one horse, twenty-five (25) cents; for each head of cattle, ten (10) cents; for each

head of hogs, sheep or goats, five (5) cents: *Provided*, That children going to or from school, persons going to and from church, elections or parades of militia, shall be passed free over said ferry.

A. D. 1874.
Proviso.

Approved March 17, 1874.

AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF CLARENDON COUNTY TO OPEN AND ESTABLISH A PUBLIC ROAD FROM THE MANNING ROAD, NEAR MCFADDIN'S STORE, TO THE CADE ROAD, NEAR THE WILLIAMSBURG LINE. No. 592.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Clarendon County be, and they are hereby, empowered and required to open, establish and keep in repair a public road, commencing on the Manning Road, near J. H. McFaddin's Store, extending so as to intercept the Pudding Swamp Road near Johnston's Crossing, thence leaving the Pudding Swamp Road near W. F. Kennedy's, and from thence extending in as nearly a direct course as possible until it intercepts the Cade Road at the Williamsburg line.

County Commissioners of Clarendon to repair certain road.

Approved March 17, 1874.

AN ACT TO CHARTER THE SOUTHERN INSURANCE, SAVINGS, BANKING AND TRUST COMPANY, OF SOUTH CAROLINA. No. 593.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, John R. Cochran, Henry Kennedy, E. E. Keese and T. J. Webb, together with such other persons as are now, or may hereafter be, associated with them, shall be, and they are hereby, constituted and made a body politic and corporate, by the name and style of the Southern Insurance, Savings, Banking and Trust Company, of South Carolina, and by that name and style shall be, and are hereby, made capable in law to have, hold and exercise the same rights, franchises and privileges granted to the State Savings and Insurance Bank, of Anderson, South Carolina, and the Union Savings Bank, of Columbia, South Carolina, in accordance with the provisions of

Corporators.

Corporate name.

Powers and privileges.

A. D. 1874.

Proviso.

Conflicting
Acts repealed.

the charter of the same, in the Acts entitled "An Act to charter the State Savings and Insurance Bank, of Anderson, South Carolina," and "An Act to charter the Union Savings Bank, of Columbia, South Carolina," approved, respectively, February 27, 1873, and March 13, 1873: *Provided*, That said incorporators, associates and successors, shall comply with the requirements of Section 6 of Article XII of the Constitution of the State of South Carolina.

SEC. 2. That all Acts or parts of Acts, Joint Resolutions or parts of Joint Resolutions, conflicting with the provisions of this Act be, and the same are hereby, repealed.

Approved March 17, 1874.

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- No. 594. AN ACT TO EXEMPT FROM ATTACHMENT, LEVY AND SALE ALL POOR FARMS, POOR HOUSES OR HOSPITALS, COURT HOUSES, JAILS, AND ALL OTHER PUBLIC PROPERTY, OF WHATSOEVER KIND OR DESCRIPTION, THAT ARE ACTUALLY USED AS SUCH, FOR DEBTS DUE BY THE COUNTY IN WHICH SUCH FARMS, HOUSES AND HOSPITALS ARE SITUATED.

Public prop-
erty of Coun-
ties exempt
from attach-
ment and sale.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all County poor farms, poor houses and hospitals, court houses, jails, and all other public property, of whatsoever kind or description, actually used as such, be, and the same are hereby, exempted from attachment, levy and sale on account of any judgment, lien or any claim, whatsoever against such County to which such farms, houses and hospitals may belong.

SEC. 2. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved March 17, 1874.

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- No. 595. AN ACT TO CHANGE THE NAMES OF CERTAIN INDIVIDUALS HEREIN MENTIONED.

Caroline War-
ing *et al.*, names
changed to
Pinckney.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the names of Camlin, Emma, Middleton, Tabby, Limus, Fanny, Calvin, Luther, Amelia and Lula Waring, of Abbeville County, be changed

to Camlin, Emma, Middleton, Tabby, Limus, Fanny, Calvin, Luther, Amelia and Lula Pinckney, and that they be declared the legal heirs of Limus Pinckney.

A. D. 1874.

SEC. 2. That the name of Russell Wilson, of Orangeburg County, be changed to Russell Keit.

Russell Wilson's name changed to Keit.

SEC. 3. That the name of James Preston Coleman, of Union County, be, and is hereby, changed to James Preston Knuckles.

J. P. Coleman's name changed to Knuckles.

SEC. 4. That James Smiley, of Colleton County, and the members of his family, be, and they are hereby, authorized and empowered to change their surname to that of Howard.

James Smiley's name changed to Howard.

SEC. 5. That the names of Sampson Montgomery, Harry and Lisbon Montgomery, Antrum Hunt and Will Salters, of Williamsburg County, be changed to Sampson Giles, Harry Giles, Lisbon Giles, Antrum Giles and Will Giles.

S. Montgomery, *et al.*, names changed to Giles.

SEC. 6. That Mary McCarthy be, and she is hereby, authorized and empowered to change her name to Lillie Louisa McGuinness.

Mary McCarthy to Lillie Louisa McGuinness.

SEC. 7. That the name of William DeSaussure Vanderford be changed to William DeSaussure Harris.

Vanderford to Harris.

SEC. 8. That the names of Jeremiah Belew and Henry Belew, of Union County, be changed to that of Jeremiah Long and Henry Long.

Belew to Long.

SEC. 9. That the names of Daniel Erwin and Mollie Ann Erwin be changed to Daniel Anderson and Mollie Ann Anderson, and that the said Daniel Anderson and Mollie Ann Anderson shall hereafter be deemed lawful heirs of W. T. Anderson, and shall, upon the death of the said W. T. Anderson, providing he die intestate, inherit his property in common with his other lawful heirs.

Erwin to Anderson.

Approved March 17, 1874.

AN ACT TO INCORPORATE THE CONGAREE REAL ESTATE, No. 596. BUILDING AND LOAN ASSOCIATION.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. B. Nash, Samuel B. Thompson, A. W. Curtis, John T. Gilmore, George A. Richmond, A. O. Jones, C. Minort, L. L. Brown, John Nott and J. J. Goodwin, together with such other persons as now are or may be hereafter associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money, by certificate or otherwise, secured by mortgage on real estate or personal property, or by conveyance of

Corporators.

A. D. 1874. the same, to their members and stockholders, or other persons, by
 Corporate name. the name and style of the Congaree Real Estate, Building and
 Capital stock. Loan Association, the capital stock of which shall not exceed four
 thousand shares, to be paid in by successive monthly installments
 of one dollar on each share, so long as the corporation shall con-
 tinue. Said corporation may issue to its members certificates of
 deposit or vouchers, in acknowledgment of money received, in such
 form as may be agreed upon and accepted by said members. The
 said shares to be held, transferred, assigned and pledged, and the
 holders thereof to be subject to such fines and forfeitures for
 default in their payment, according to such regulations as may be
 prescribed by the by-laws of said corporation: *Provided*, That
 this association shall not organize or commence its operations until
 at least two hundred shares have been subscribed.

Proviso,
 Powers and privileges. SEC. 2. That the said corporation shall have power and authority
 to make any such rules and by-laws for its government as are not
 repugnant to the Constitution and laws of the land; shall have
 such members and succession of members and officers as shall be
 ordained and chosen according to said rules and by-laws made or
 to be made by them; shall have and keep a common seal, and may
 alter the same at will; may sue and be sued, plead and be im-
 pleaded, in any Court of law or equity in this State; and shall
 have and enjoy all and every right and privilege incident
 and belonging to corporate bodies according to the laws of the
 land.

Proviso. SEC. 3. That the said corporation shall have power to take,
 purchase and hold real estate, and to sell and transfer the same,
 from time to time, to its members and others, on such terms, and
 under such conditions, and subject to such regulations, as may be
 prescribed by the rules and by-laws of said corporation: *Provided*,
 That the real estate held by said corporation shall not at any time
 exceed the value of three hundred thousand dollars.

Funds of corporation may be loaned to stockholders and others. SEC. 4. That the funds of said corporation shall be loaned and
 advanced to its members and stockholders, or others, upon security
 of real and personal estate, and used in the purchase of real estate
 for the benefit of its members and stockholders, on such terms,
 and under such conditions, and subject to such regulations, as may,
 from time to time, be prescribed by the rules and by-laws of said
 corporation; and it shall be lawful for the said corporation to hold
 such lands, tenements and hereditaments and personal property as
 shall be mortgaged or conveyed to them in good faith, by way of
 security, upon its loans and advances; and may sell, alien or other-
 wise dispose of the same to its members, stockholders, or others, as
 they, from time to time, may deem expedient.

SEC. 5. That whenever the funds of said corporation shall have accumulated to such an amount that, upon a fair and just division thereof, each stockholder and member shall have received, or be entitled to receive, the sum of two hundred dollars, or property of that value, for each and every share of stock by him or her so held; and such distribution and division of the funds shall have been so made, then this corporation shall cease and determine.

A. D. 1874.

Corporation
to cease upon
payment of a
certain amount
to stockhold-
ers.

SEC. 6. This Act shall be deemed a public Act, and the same may be given in evidence without specially pleading the same.

Approved March 17, 1874.

AN ACT TO INCORPORATE THE TRUE BLUE UNION REPUBLICAN No. 597.
SOCIETY, OF ST. HELENA ISLAND.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Bristol Powell, T. G. Glover, P. W. Simmons, R. D. Richardson, James Powell, Bram Richardson, and their successors, officers and members, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the True Blue Union Republican Society, of St. Helena Island.

Corporators.

Corporate
name.

SEC. 2. The said corporation shall have a common seal, and shall have power to purchase, receive and hold any real or personal estate, not exceeding in value the sum of ten thousand dollars, and to sell, convey and dispose of the same; and by its corporate name may sue and be sued in any Court in this State, and may make such rules and by-laws, not repugnant to law, as may be considered necessary and expedient.

Powers and
privileges.

SEC. 3. That this Act shall be deemed a public Act, and shall continue in force until repealed.

Approved March 17, 1874.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT FOR THE RE- No. 598.
LIEF OF THE WIDOWS AND ORPHANS OF PERSONS KILLED BE-
CAUSE OF THEIR POLITICAL OPINIONS," APPROVED MARCH 13,
1872.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act for the relief of the widows and orphans of persons killed

Act for relief
of widows and
orphans
amended.

A. D. 1874.

because of their political opinions," approved March 13, 1872, be, and the same is hereby, amended so as to embrace the County of Abbeville.

SEC. 2. This Act shall take effect from and after its passage.

Approved March 17, 1874.

No. 599. AN ACT TO CONFER THE RIGHT OF LEGITIMACY ON CERTAIN CHILDREN.

Children of
Celia Lyde le-
gitimized.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the children begotten of the body of Celia Lyde, late of Darlington County, deceased, called by the names of Silas Lyde and Kate Jackson, *nee* Lyde, be, and they are hereby, invested with all the rights and privileges of legitimate children, in the same manner and to the same extent as if they had been born in lawful wedlock.

SEC. 2. All Acts or parts of Acts conflicting with the provisions of this Act are hereby repealed.

Approved March 17, 1874.

No. 600. AN ACT TO INCORPORATE THE LONE STAR DEBATING AND CHARITABLE CLUB, OF COLUMBIA, S. C.

Corporators.

Corporate
name.

Powers and
privileges.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. J. Andrews, James Hicks, Joseph Foster, London Johnson, Elleck Coltry, together with other persons who now are or may hereafter be associated with them, be, and they are hereby, declared a body corporate, under the name and style of the Lone Star Debating and Charitable Club, of Columbia, South Carolina, and shall have succession of officers, and shall have a common seal.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real or personal estate, not exceeding in value the sum of ten thousand dollars, and to sell, convey and dispose of the same, and by its corporate name to sue and be sued in any Court of this State, and to make such rules and by-laws, not repugnant to the laws of the land, as may be considered necessary and expedient.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved March 17, 1874.

AN ACT TO INCORPORATE THE PRIOLEAU RIFLE CLUB, OF
CHARLESTON COUNTY.

A. D. 1874.

No. 601.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Bedo Richardson, Brass Prioleau, Stephen Smalls, Francis Brown, Class Smalls and James Footmand, and all other persons who now are, or may hereafter become, members of the Prioleau Rifle Club, of Charleston County, be, and are hereby, constituted and declared a body politic and corporate, by the name and style of the Prioleau Rifle Club, of Charleston County, S. C.

Corporators.

Corporate
name.Powers and
privileges.

SEC. 2. That the said corporation hereby created and established shall have succession of officers and members according to its by-laws, and shall have power to make all necessary by-laws, not repugnant to the laws of the land; to sue and be sued, plead and be impleaded, in any of the Courts of this State; and to have and enjoy every right, power and privilege incident to such corporations; and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real and personal, as it may acquire by purchase, right, devise or bequest, or in any manner whatsoever, and the same, or any part thereof, to sell, alien, incumber, mortgage or convey at the will and pleasure of such corporation: *Provided*, That the amount of property, real and personal, so held shall not at any one time exceed the sum of twenty-five thousand dollars.

SEC. 3. That this Act shall be deemed and taken to be a public Act, and shall continue in force until repealed.

Approved March 17, 1874.

AN ACT TO DESIGNATE PLACES FOR THE COLLECTION OF
TAXES IN FAIRFIELD COUNTY. No. 602.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following places, to wit, Youngsville, Gladden's Grove, Winnsboro. Ridgeway, Doko, Monticello, Feasterville, Jenkinsville, Durham Precinct and Horeb, be, and they are hereby, designated and declared to be points for the collection of taxes in Fairfield County.

Places for col-
lection of taxes
in Fairfield
County desig-
nated.

A. D. 1874.

County Treasurer to attend at each.

SEC. 2. That the Treasurer of said County, or his deputy, be, and he is hereby, required to attend at each of said places for the purpose of collecting taxes, at least three days during the period fixed by law for the collection of such taxes.

SEC. 3. All Acts or parts of Acts conflicting with the provisions of this Act are hereby repealed.

Approved March 17, 1874.

No. 603. AN ACT TO AUTHORIZE AND EMPOWER H. R. BOX, JOSEPH M. LAWTON AND OTHERS TO ERECT AND CONTINUE, FOR A TERM OF FOUR YEARS, TWO GATES ACROSS THE SAVANNAH AND AUGUSTA ROAD.

Certain parties to erect gates.

Proviso.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That H. R. Box, Joseph M. Lawton and others be, and they are hereby, authorized and empowered to erect and continue, for a term of four years, two gates across the Savannah and Augusta Road, in Beaufort County: *Provided*, That the gates shall be built of durable material, and constructed in such a manner as to afford the least trouble to travelers in their passage.

SEC. 2. That each person residing within the area protected by said gates shall be held responsible for any damage committed by his stock.

SEC. 3. All Acts or parts of Acts conflicting with the provisions of this Act are hereby repealed.

Approved March 17, 1874.

No. 604. AN ACT TO REGULATE THE MANNER IN WHICH PUBLIC FUNDS SHALL BE DISBURSED BY PUBLIC OFFICERS.

Public officers not to make contracts in excess of amount appropriated or levied for the purpose.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be unlawful for any public officer, State or County, authorized by law to so contract, to enter into or contract, for any purpose whatsoever, in a sum in excess of the tax levied, or the amount appropriated for the accomplishment of such purpose.

SEC. 2. It shall be unlawful for any public officer, State or County, to divert or appropriate the funds arising from any tax levied and collected for any one fiscal year to the payment of any indebtedness contracted or incurred for any previous fiscal year.

A. D. 1874.

Public funds not to be diverted from payment of indebtedness of one year to that of another.

SEC. 3. Should any public officer, in any manner whatsoever, violate the provisions of the first two Sections of this Act, he shall be deemed guilty of a felony, and, upon conviction thereof, shall be punished by a fine not exceeding five thousand dollars, and not less than five hundred dollars, and by imprisonment at hard labor in the State Penitentiary for a period not exceeding five years, nor less than one year, or either or both, in the discretion of the Court. This Act shall take effect immediately after its passage.

Penalty for violation of Act.

Approved March 17, 1874.

AN ACT TO INCORPORATE THE HARTSVILLE AGRICULTURAL ASSOCIATION, OF DARLINGTON COUNTY. No. 605.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William Braley, Emanuel Lever, Isaac Alexander, Alexander Cuffey, Benjamin Jackson, Glenn Jackson, Charles Robertson, Antrum Wright, Davy Brunson, John Brunson and Lewis Farmer, and their associates and successors in office, be, and they are hereby, declared a body politic and corporate, under the name and style of the Hartsville Agricultural Association, of Darlington County, with a capital stock of twenty-five thousand dollars, with power to increase the same to one hundred thousand dollars, in shares of twenty-five dollars each.

Corporators.

Corporate name.

Capital stock.

SEC. 2. That said corporation is hereby empowered to have and to use a common seal, and the same to alter at pleasure; to hold real and personal property, whether acquired by gift, devise or purchase, and the same, or any part thereof, to alien, sell or transfer; to adopt such constitution, and pass such by-laws, not inconsistent with the laws of the land, as may, in the opinion of the members of said corporation, appear best calculated to promote the aims and objects thereof; to sue and be sued, to plead and be impleaded, in any Court of competent jurisdiction, and to have all other rights, privileges and immunities that are now secured by law to corporate bodies: *Provided*, That the real and personal property of each cor-

Powers and privileges.

Proviso.

A. D. 1874. { porator shall be liable for the debts of said corporation or assigns in any amount not exceeding the par value of the stock held by him.

SEC. 3. That this Act be deemed a public Act, and shall have force until repealed.

Approved March 17, 1874.

No. 606. AN ACT TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF NEWBERRY COUNTY TO BUILD A BRIDGE ACROSS TYGER RIVER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Newberry County be, and they are hereby, authorized and required to build a bridge across Tyger River at or close by Gordon's Ferry, in said County.

County Commissioners of Newberry County to build a bridge across Tyger River.

SEC. 2. That the said bridge shall be free, and no toll or charges whatever be collected for crossing said bridge.

Approved March 17, 1874.

No. 607. AN ACT TO CHARTER THE GEORGETOWN AND NORTHWESTERN NARROW GAUGE RAILROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of constructing a railroad from the town of Georgetown to such point or places as are hereinafter stated, that J. B. Kershaw, Wm. M. Shannon, Thos. B. Fraser, Edward Burroughs, S. W. Maurice, S. A. Swails, A. Morgan, J. A. Bowley, H. Kaminski, B. I. Hazard, W. W. Walker, B. F. Wickersham and Geo. R. Congdon, and their associates, successors and assigns, are hereby created a body politic and corporate, under the name of the "Georgetown and Northwestern Narrow Gauge Railroad Company," and by such title shall have a corporate existence for the term of forty years; and may sue and be sued, plead and be impleaded, in every proper Court of the State of South Carolina; and may have and use a common seal, which it may change or alter at pleasure; and shall be capable of purchasing, holding, using, leasing and conveying

Corporators.

Corporate name.

Powers and privileges.

estates, real, personal and mixed, and other property, and of acquiring the same by gift or devise; and may make all necessary by-laws and regulations for its government not inconsistent with the laws of the State of South Carolina.

A. D. 1874.

SEC. 2. That the said company be, and is hereby, authorized and empowered to construct, maintain and operate a railroad extending from the town of Georgetown to the town of Camden, passing through the Counties of Georgetown, Williamsburg, Clarendon, Sumter and Kershaw, by such route as shall be found most suitable and advantageous, and with privilege of extending said road from Camden to the North Carolina State line, in the direction of Charlotte, or from Camden, in the direction of or to the town of Chester, by such routes as may be deemed advisable by said company, and to construct bridges across such rivers and streams as may be found necessary to complete said railroad.

Line of road.

May construct bridges.

SEC. 3. That the said company may also own, lease or charter such steamers, vessels or other water craft as may be necessary to conduct a general freighting and passenger business.

May lease steamers and conduct freight and passenger business.

SEC. 4. That the said company shall lay a narrow gauge track, and may run such branches from its main track to the distance of twenty miles, in such direction as may be deemed necessary: *Provided*, That said branches may be laid with wooden or iron rails.

May lay narrow gauge and construct branches.

SEC. 5. That the capital stock of said company shall be one and a half millions of dollars, in shares of fifty dollars (\$50) each, with privilege of increasing the said capital stock to such an amount as may be found necessary to carry out the intention and purposes of this Act; and the shares shall be personal property, transferable in such manner as the by-laws may direct; and for the purpose of raising such capital stock, it shall be lawful to open books of subscription, at such times and places, and under the direction of such persons, as the said company may determine. And that said subscription to the capital stock may be made in money, bonds, lands, material and work, at such rates as may be agreed upon with the said company; and that each and every person subscribing land shall execute a deed of the same to the said company. And the said railroad company shall have power to mortgage its property and franchises, and issue bonds on such terms and conditions, and for such purposes and uses of said corporation, as the President and Board of Directors may deem necessary.

Capital stock.

Subscriptions thereto-in what payable.

May issue bonds.

SEC. 6. That it shall be lawful for any city or town in this State, interested in the construction of said railroad, to subscribe to the capital stock of the same, according to such rules and regulations as are by law now made and provided for such purposes. And the several Counties interested in the construction of said road are

Cities, &c., interested may subscribe.

A. D. 1874.

Subscription
payable in
bonds.

hereby authorized to subscribe to its capital stock such sum as a majority of their voters may authorize their constituted authorities to subscribe, which subscription shall be made in seven (7) per cent. County bonds, payable in periods of ten, fifteen and twenty years, the interest to be raised annually by taxation.

County Audi-
tors to assess
per centum to
pay interest
thereon.

SEC. 7. That whenever any subscription shall be made by any County to the road as aforesaid, it shall be the duty of the County Auditor, or other officer discharging such duties, to assess, annually, upon the property of such County, such per centum as may be necessary to pay the annual interest required by said subscription, which shall be known and styled in the tax books as said railroad tax, which shall be collected by the County Treasurer under the same regulations as are provided by law for the collection of State and County taxes, and which shall be paid over by the said County Treasurer to the holders of the said bonds, annually, as the said interest may become due: *Provided*, That all dividends paid by the said company upon its stock held by the several Counties shall be set apart and held by the said County Treasurers to be used only in the liquidation of the principal and interest of the said County bonds, and that when the said bonds become due, the money to pay the same shall be raised by taxation in the same manner, and paid out by the County Treasurer, as provided above for the payment of the annual interest.

Dividends to
be set apart to
liquidate said
bonds.

Counties to
be represented
in conventions
of stockhold-
ers.

SEC. 8. That in all conventions of the stockholders of said company, such County or town as may subscribe to the capital stock thereof may be represented by not less than three, nor more than five, delegates, who shall be chosen by a convention of the tax-payers of such County or town.

Entitled to
all rights, &c.,
granted to oth-
er railroad
companies.

SEC. 9. That for the purpose of acquiring such lands or right of way as they may require for the location and construction of the said railroad and branches, or for the erection or location of such depots, warehouses, stations, wharves and other necessary establishments, or for extending or altering the same, the said company shall have every right, privilege and power heretofore granted to, and which now is or has been used, possessed or enjoyed by, any railroad company heretofore incorporated in this State; and shall, also, be entitled to the use and benefit of every process or proceeding provided by law for enabling any other railroad company in this State to obtain such lands or rights of way as they might require in cases in which the consent of the owners cannot be obtained.

Exclusive
right of trans-
portation.

SEC. 10. That the said company shall have the same exclusive right of transportation on their road and branches which is possessed and enjoyed by any other railroad in this State; and persons trespassing or intruding upon the said railroad and its branches

shall be liable to all the penalties provided by law for the prevention of trespasses or intrusions upon any other railroad; and any person who shall willfully destroy, damage or obstruct the said road, or any branch or part thereof, shall be liable to all the penalties to which persons willfully destroying, damaging or obstructing any other railroad are made liable by any law of the State.

A. D. 1874.

Penalty for
injuring prop-
erty.

SEC. 11. That the said road shall be subject to the provisions of an Act entitled "An Act to declare the manner by which the lands or right of way over the lands of persons or corporations may be taken for the construction and uses of railways and other internal improvements," ratified September 22, 1868; and that this Act shall be deemed a public Act, and shall continue in force for the term of forty years: *Provided*, That the work on the said road shall be commenced within two years from the passage of this Act, and completed within five years thereafter.

Subject to
provisions of
certain Act.

Approved March 17, 1874.

AN ACT TO INCORPORATE THE UNION HOTEL COMPANY, IN UNION COUNTY. No. 608.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the passage of this Act, Thomas B. Jeter, William Munro, A. H. Foster, B. D. Culp, H. L. Goss, W. D. Humphries, John Rodgers, and all other persons who are now, or hereafter may be, associated with them as stockholders in said company, shall be, and they are hereby declared to be, a body corporate, by the name and style of "The Union Hotel Company," and by their said name shall have succession of officers and members, and have a common seal.

Corporators.

Corporate
name.

SEC. 2. That the said corporation shall have power to purchase, possess and hold any real or personal property, not exceeding in value the sum of thirty thousand dollars, or to sell and convey the same; and, by its corporate name, to sue and be sued in any Court of this State; and to make such rules and by-laws, not repugnant to law, as may be deemed necessary or expedient.

Powers and
privileges.

SEC. 3. This Act shall be deemed a public Act, and continue in force for twenty-five years, or until repealed.

Approved March 17, 1874.

A. D. 1874. **AN ACT TO INCORPORATE THE CAMDEN INDEPENDENT FIRE
ENGINE COMPANY, No. 1.**
No. 609.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James L. Brasington, Henry Mitchell, Stephen Collins, Isaac Scott, Frank Carter, Alfred Alerson, Saby Brown, William Bailey, John Henderson, George McLaw, James Small, and their associates and successors in office, be, and they are hereby, constituted a body politic, under the name and style of the Camden Independent Fire Engine Company, No. 1, with a capital stock not exceeding ten thousand (10,000) dollars, with the right to sue and be sued, to plead and be impleaded, in any Court of competent jurisdiction; to have and use a common seal, and the same to alter at will; and with all other rights, privileges and immunities that are now secured by law to like incorporate bodies.

Corporators. **Corporate name.** **Powers and privileges.**

SEC.-2. That this Act shall be deemed a public Act, and remain in force fourteen years.

Approved March 17, 1874.

No. 610. AN ACT TO ESTABLISH A PUBLIC ROAD IN ORANGEBURG COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That immediately from and after the passage of this Act the County Commissioners of Orangeburg County be, and they are hereby, empowered, authorized and required to lay out, open and keep in repair a public road from the "New Bridge," across the North Fork of Edisto River, near Branchville, to a point intersecting with the "Binnicker's Bridge Road," at or near Easterlin's Mill, in said County.

County Commissioners to lay out public road. **Line of same.**

SEC. 2. That for the purpose of establishing said road the County Commissioners of said County shall have the right to order out all persons liable to road duty within the townships through which the same shall pass to work upon said road not exceeding five days.

May require persons liable to road duty to work on same.

Approved March 17, 1874.

AN ACT TO AMEND SECTION 52 OF CHAPTER XX OF THE GENERAL STATUTES OF SOUTH CAROLINA.

A. D. 1874.

No. 611.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 52 of Chapter XX of the General Statutes be so amended as to read as follows: "That all sales of personal or real estate, or other interest, hereafter ordered to be made by the Courts of Common Pleas or Courts of Probate shall be made by the Sheriff of the County in which said real or personal estate or other interest is at the time said sale is ordered: *Provided*, That sales of the personal property of estates, ordered by either of said Courts, shall be made by the executor or administrator, as the case may be, of such estate, unless for satisfactory reasons otherwise ordered by the Court."

Sales by order of Court to be made by Sheriff of County where property is situated.

Proviso.

SEC. 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 17, 1874.

AN ACT TO AMEND SUB-DIVISION 3 OF SECTION 2, CHAPTER LXXXV, TITLE II, PART II, OF THE GENERAL STATUTES, RELATING TO TITLE TO REAL PROPERTY BY DESCENT. No. 612.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That sub-division 3 of Section 2, Chapter LXXXV, Title II, Part II, be amended by adding thereto the words: "The children of a deceased brother or sister shall take among them, respectively, the share which their respective ancestors would have been entitled to had they survived the intestate."

Shares of deceased brother and sister.

Approved March 17, 1874.

AN ACT TO REPEAL SECTION 2, CHAPTER XCIX, TITLE VII, OF THE GENERAL STATUTES OF SOUTH CAROLINA. No. 613.

Whereas Article XIV, Section 5, declares divorces from the bonds of matrimony shall be allowed as shall be prescribed by law; and whereas an Act to regulate the granting of divorces was approved January 21, 1872; and whereas an Act to approve, adopt and make of force the General Statutes of South Carolina, pre-

Preamble.

A. D. 1874.

pared under the direction and by the authority of the General Assembly, became a law February 10, 1872; and whereas grave doubts exist as to the operation of Section 2, Chapter XCIX, Title VII, of the General Statutes, in cases of divorce; therefore,

Provision of
General Stat-
utes relative to
divorces re-
pealed.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2, Chapter XCIX, Title VII, of the General Statutes of South Carolina be, and the same is hereby, repealed.

Approved March 17, 1874.

No. 614. AN ACT TO REGULATE THE NUMBER AND PAY OF OFFICERS, ATTACHEES, CLERKS AND LABORERS OF THE GENERAL ASSEMBLY, AND TO PROVIDE THE MANNER OF ELECTING, APPOINTING AND PAYING THE SAME.

Preamble.

Whereas, in the interest of financial reform and good government, an economical expenditure of the public moneys is essential; and whereas a great reduction in the expenses of the General Assembly is imperative, and, to this end, it is our duty that the number and pay of the clerks and attachees of the General Assembly be limited by law, as pledged to the people in the platform of the Republican party; therefore,

Clerk of Sen-
ate, election
and salary.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act, the Senate shall, immediately after assembling in regular session, proceed to the election of a Clerk of the Senate, whose salary shall be fixed by the Committee on Finance of the Senate: *Provided*, That it shall not exceed that now paid; one Reading Clerk, who shall receive six dollars per day; one Sergeant-at-Arms, who shall receive six dollars per day.

Reading Clerk
and Sergeant-
at-Arms, elec-
tion and pay of.

President of
Senate to ap-
point at-
tachees.

SEC. 2. That it is hereby made the duty of the President of the Senate to appoint, before the first Monday after the Senate shall have met in regular session each year, the following: One Assistant Clerk, who shall be recommended by the Clerk of the Senate, whose duty shall be to assist the Clerk of the Senate in preparing the business of that body, and whose pay shall be fixed by the Committee on Finance; one Chief Messenger or Bill Clerk, who shall receive three (3) dollars per day; three Committee Clerks, who shall receive five (5) dollars per day each; two Door-Keepers, who shall each receive three (3) dollars per day; three Laborers, who shall

Pay of same
fixed.

each receive three (3) dollars per day; and four Pages, who shall receive one dollar and fifty cents per day each; and the above named Chief Messenger, Door-Keepers, Laborers and Pages shall be under the control and supervision of the Sergeant-at-Arms of the Senate, and it is hereby made their duty to obey all reasonable orders or commands made by him. One Porter for the office of Clerk of the Senate, to be under the direction of said Clerk, and to receive three dollars per day.

A. D. 1874.

Duties of such
attachees.

SEC. 3. That on and after the passage of this Act, the House of Representatives, immediately after assembling in regular session, shall proceed to the election of a Clerk of the House of Representatives, whose salary shall be fixed by the Committee on Ways and Means of the House of Representatives: *Provided*, It shall not exceed that now paid; one Reading Clerk, who shall receive six dollars per day; one Sergeant-at-Arms, who shall receive six dollars per day.

Clerk of
House, election
and pay of.Reading Clerk
and Sergeant-
at-Arms, elec-
tion and pay of.

SEC. 4. That it is hereby made the duty of the Speaker of the House of Representatives to appoint, before the first Monday after the House of Representatives shall have met in regular session each year, the following: One Assistant Clerk, who shall be appointed on the recommendation of the Clerk of the House of Representatives, whose duty it shall be to assist the Clerk of the House of Representatives in preparing the business of that body, and whose pay shall be fixed by the Committee on Ways and Means of the House of Representatives; one Journal Clerk, who shall receive one thousand dollars per annum, and shall be appointed on the recommendation of the Clerk of the House; one Assistant Sergeant-at-Arms, who shall receive five (5) dollars per day; one Chief Messenger or Bill Clerk, who shall receive five (5) dollars per day; six Committee Clerks, who shall receive five (5) dollars per day each; three Door-keepers, who shall receive three (3) dollars per day each; three Messengers and four Laborers, who shall receive three (3) dollars per day each; and four Pages, who shall receive one dollar and fifty cents (\$1.50) per day each; one Mail Carrier, who shall receive three (3) dollars per day; and the above named Assistant Sergeant-at-Arms, Chief Messenger, Janitor, Door-keepers, Messengers, Laborers and Pages shall be under the control and supervision of the Sergeant-at-Arms of the House of Representatives, and it is hereby made their duty to obey all reasonable orders or commands made by him. The Committee Clerks, as hereinbefore provided by this Section, shall serve for the following Committees: One for the Committees on Claims and Railroads, one for the Committees of Ways and Means and Education, and one for the Committees on Judiciary and Roads, Bridges and Ferries, and shall be

Speaker to ap-
point at-
tachees.Pay of same
fixed.Duties of such
attachees.Duties of Com-
mittee Clerks.

A. D. 1874.

under the direction of the Chairman of the respective Committees to which they are assigned: *Provided*, That not more than two of the appointees herein provided for shall be appointed for one County.

Secretary of State to appoint Engrossing Clerks.

SEC. 5. That it shall be the duty of the Secretary of State to appoint six Engrossing or Enrolling Clerks, whose duty it shall be to properly engross and enroll, without delay, all Bills, Acts or Resolutions of the General Assembly, under the supervision and direction of the Secretary of State, and who shall receive for such services

Pay of same. six (6) dollars per day each; also one Porter, who shall receive three (3) dollars per day.

Attorney General to appoint attorneys and clerks.

SEC. 6. That it shall be the duty of the Attorney General to appoint two Attorneys at Law and two Clerks, whose duty shall be to properly prepare, without delay, all Bills, Resolutions and other matter for the use of the General Assembly, under the supervision

Pay of same. and direction of the Attorney General, and who shall receive for such service six (6) dollars per day each.

In case of recess beyond ten days, to receive no pay.

SEC. 7. That if at any time the General Assembly shall take a recess for more than ten days, no attachee of the General Assembly shall be entitled to pay during such recess.

Number of attachees not to be increased.

SEC. 8. That hereafter the number of attachees, as provided for in this Act, shall never be increased except by Act or Joint Resolution.

List of attachees to be furnished State Treasurer.

SEC. 9. That it shall be the duty of the President of the Senate, Speaker of the House of Representatives, Secretary of State and Attorney General to furnish to the Clerks of the two branches of the General Assembly the names of the Clerks, Attorneys, Sergeant-at-Arms, Door-keepers, Messengers, Laborers, Pages or other attachees, as provided by this Act, either elected or appointed; and the aforesaid Clerks of the two branches of the General Assembly shall furnish the State Treasurer a properly attested list of the same.

Certificates of attachees, by whom signed.

SEC. 10. That for the payment of such attachees as provided for in this Act, the President of the Senate and Speaker of the House of Representatives, respectively, shall furnish pay certificates for the amount due to each attachee by that branch of the General Assembly by which said attachee shall be employed, duly signed by them, and the signature of such presiding officer, respectively, properly attested to by the Clerk of such branch of the General Assembly: *Provided, however*, That the pay certificates for services rendered common to the two Houses by the attachees of the offices of the Secretary of State and Attorney General shall be signed conjointly by the presiding officers, and their signatures properly attested to by the Clerks of the two Houses, and certified to by the Secretary

of State and the Attorney General for the attachees of each office, respectively; and in making appropriations for the payment of subordinate officers and attachees, as provided for in this Act, whether elected or appointed, the name of every such subordinate officer, attachee, Clerk, Messenger, Page, Door-keeper, Attorney, &c., &c., as provided for in this Act, with the amount due to each and every one, shall appear in full in the Bill; and the State Treasurer is hereby prohibited from paying, after the passage of this Act, any pay certificate of such attachee, as herein provided for, unless the same be issued in conformity with the provisions herein contained.

A. D. 1874.

Names of attachees to appear in appropriation Bill.

Treasurer to pay only those so named in said Bill.

SEC. 11. That any person holding or exercising the duties of any other office shall not be eligible to appointment or election under this Act; and no person shall be eligible to election or appointment under this Act who is not a permanent resident of the State.

Office holders and non-residents of State not eligible.

SEC. 12. That all Acts or parts of Acts, Resolutions or parts of Resolutions, inconsistent to or conflicting with the provisions of this Act be, and the same are hereby, repealed.

Approved March 17, 1874.

AN ACT TO REPEAL A JOINT RESOLUTION ENTITLED "A JOINT No. 615.

RESOLUTION TO REQUIRE THE GOVERNOR TO COMMUNICATE WITH THE PROPER AUTHORITIES OF GEORGIA, WITH A VIEW TO THE RE-ADJUSTMENT OF THE BOUNDARY LINE BETWEEN THE STATES OF GEORGIA AND SOUTH CAROLINA, AND AUTHORIZING THE APPOINTMENT OF THREE COMMISSIONERS."

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Joint Resolution entitled "A Joint Resolution to require the Governor to communicate with the proper authorities of the State of Georgia, with a view to a re-adjustment of the boundary line between the States of Georgia and South Carolina, and authorizing the appointment of three Commissioners," approved January 8, 1872, be, and the same is hereby, repealed.

Joint Resolution relative to boundary line between Georgia and South Carolina repealed.

Approved March 17, 1874.

A. D. 1874.

No. 616.

AN ACT TO PUNISH PERSONS FOR ILL-TREATING CHILDREN, APPRENTICES, IDIOTS, SERVANTS AND HELPLESS PERSONS.

Persons ill-treating children, servants, &c., deemed guilty of a misdemeanor.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whosoever, being legally liable, either as parent, guardian, master or mistress, to provide for any child or children, apprentice or servant, idiot or helpless person, necessary food, clothing or lodging, shall willfully and without lawful excuse refuse or neglect to provide the same, or shall unlawfully and maliciously do, or cause to be done, any bodily harm to any such child or children, apprentice, servant, idiot or helpless person, so that the life of such child or children, apprentice, servant, idiot or helpless person shall be endangered, or the health or comfort of such child or children, apprentice, servant, idiot or helpless person shall have been, or likely to be, permanently injured, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be liable to a fine of not less than two hundred dollars nor more than one thousand dollars, or be imprisoned for any term not exceeding two years, with or without hard labor, one or both, at the discretion of the Court.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 17, 1874.

No. 617. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE ADMINISTRATION OF DERELICT ESTATES."

Act to provide for administration of derelict estates amended.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the words "and such Clerk shall give bond, with two sureties, for the faithful discharge of his duty as such administrator, in such amount as would be required of any other administrator," in Section 1 of the Act, be stricken out, and the following be substituted: "And the Clerk shall be held liable, on his official bond, for the faithful discharge of his duties as such administrator;" also, that all of Section 3 of same Act be stricken out.

Approved March 17, 1874.

AN ACT TO REGULATE THE SERVICE OF LEGAL PROCESS UPON
RAILROAD AND EXPRESS COMPANIES.

A. D. 1874.

No. 618.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act, the service of any legal process upon any agent of any railroad or express company within the limits of this State shall be taken and held to be a valid service upon such corporations.

Legal powers
upon Railroad
and Express
Companies,
how served.

SEC. 2. All Acts or parts of Acts, Resolutions and parts of Resolutions, inconsistent or conflicting with this Act be, and the same are hereby, repealed.

Approved March 17, 1874.

AN ACT TO REGULATE THE TIMES OF HOLDING THE COURTS
OF GENERAL SESSIONS AND COMMON PLEAS IN THE FOURTH
CIRCUIT. No. 619.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Circuit Courts in the Fourth Circuit shall be held as follows:

(1.) The Court of General Sessions at Chesterfield, for the County of Chesterfield, on the first Monday in January, May and September; in January and September to continue for two weeks, if so long be necessary, and in May one week. The Court of Common Pleas at Chesterfield, for the County of Chesterfield, on the Wednesday after the opening of the Court of Sessions on the first Monday in January, May and September.

Time of hold-
ing Courts in
Chester-
field County.

(2.) The Court of General Sessions at Bennettsville, for the County of Marlboro, on the third Monday in January, second Monday in May and third Monday in September; to continue for two weeks in January and September, if so long be necessary, and one week in May. And the Court of Common Pleas at Bennettsville, for the County of Marlboro, on the first Wednesday after the third Monday in January and September, and first Wednesday after the second Monday in May.

Marlboro
County.

(3.) The Court of General Sessions at Darlington, for the County of Darlington, on the first Monday in February, the third Monday in May and first Monday in October; to continue for four weeks, if so long be necessary, in February and October, and one week in May. The Court of Common Pleas to be holden at Darlington,

Darlington
County.

A. D. 1874. for the County of Darlington, on the first Wednesday after the first Monday in February, third Monday in May and first Monday in October.

Marion County. (4.) The Court of General Sessions at Marion, for the County of Marion, on the second Monday of March, fourth Monday in May and second Monday in November; to continue for four weeks, if so long be necessary, in March and November, and one week in May. The Court of Common Pleas to be holden at Marion, for the County of Marion, on the first Wednesday after the second Monday in March, fourth Monday in May and second Monday in November.

Horry County. (5.) The Court of General Sessions at Conwayboro, for the County of Horry, on the first Monday in March, August and November; to continue for one week at each term. The Court of Common Pleas to be holden at Conwayboro, for the County of Horry, on the first Wednesday after the first Monday in March, August and November.

SEC. 2. That for the Spring and Fall Terms of the Courts in Darlington and Marion Counties, the Board of Jury Commissioners for the Counties, respectively, shall draw two sets of Common Pleas and petit jurors, each set to serve two weeks.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 17, 1874.

No. 620. AN ACT TO INCORPORATE THE TOWN OF EASLEY, IN THE COUNTY OF PICKENS.

Town of Easley incorporated. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State who have resided thirty days in the town Easley shall be deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the name of Easley, and its corporate limits shall extend one-half mile from the depot of the Atlanta and Richmond Air Line Railway Company in a direction due north, south, east and west, and shall include a square formed upon the extremities of lines so drawn.

Corporate limits.

Officers.

SEC. 2. That said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, and who shall be elected by the qualified

voters of the said town on the third Monday in April next, and every year thereafter on the third Monday in April, ten days' public notice thereof being previously given; and that all the male inhabitants of the age of twenty-one years, citizens of this State, who shall have resided in said town for sixty days immediately preceding the election, shall be entitled to vote for the said Intendant and Wardens. For the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas of Pickens County shall designate three suitable persons, citizens of said town, to act as Managers of the election, and that the Intendant and Wardens for the time being shall, annually, appoint Managers to conduct each ensuing election.

A. D. 1874.
Election, time
of holding.

Clerk of
Court to ap-
point Mana-
gers of Elec-
tion.

SEC. 3. That the said corporation shall have the same powers and privileges, and be subject in every respect to the provisions, of the charter granted to the town of Ninety-Six by an Act entitled "An Act to incorporate the town of Ninety-Six," approved March 13th, 1872.

Provisions of
charter of town
of Ninety-Six
to apply to
Easley.

SEC. 4. This Act shall be deemed a public Act, and continue in force until repealed.

Approved March 17, 1874.

AN ACT TO REGULATE THE PUBLIC PRINTING.

No. 621.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be the duty of the Clerk of the Senate and the Clerk of the House, immediately after the passage of this Act, and thereafter on the first day of December of every second year, to advertise, for ten days, in the daily papers of Charleston and Columbia, for sealed proposals for executing, for the term of two years, the permanent and current printing of the General Assembly, as follows: One hundred copies per day of the Senate Calendar; two hundred copies per day of the House Calendar; one hundred copies per day of the Senate Journal; two hundred and fifty copies per day of the House Journal; one hundred copies of Senate Bills and Joint Resolutions; two hundred copies of House Bills and Joint Resolutions; fifteen hundred copies of the Governor's Messages; five hundred copies, each, of the reports of the Treasurer, Attorney General, Secretary of State, Comptroller General, Adjutant and Inspector General, Superintendent of Education; five hundred

Clerks of
House and
Senate to ad-
vertise for pro-
posals for
printing.

Manner of
work to be
performed.

A. D. 1874.

copies, each, of the reports of the various public institutions, such as Penitentiary, Lunatic Asylum, State Orphan House, &c., &c.; two thousand five hundred copies of the Acts and Joint Resolutions; five hundred copies of the Journals of the House and Senate; five hundred copies of the Reports and Resolutions; five hundred copies of the Supreme Court Decisions, with the exclusive right to the State Printer to print and sell as many additional copies as he may deem fit, together with such other printing of every kind as may be ordered by the General Assembly or either branch thereof, and also the printing required for the Executive and other departments of State for and during the said term of two years.

Proposals,
what to con-
tain.

SEC. 2. The said proposals shall state at what price per page the party making the proposals will print the number of copies herein required of each of the said documents and papers, and also provide all the materials therefor, fold, stitch and trim the same; at what price per page the party will furnish each additional hundred copies of any such documents or papers that may be ordered; and at what price per volume the party will bind, in law calf, the Supreme Court Decisions and two hundred copies, each, of the Acts and Joint Resolutions, Journals and Reports and Resolutions.

Proposals to
be accompa-
nied by bond.

SEC. 3. Such sealed proposals shall, in every instance, be accompanied by a bond, in the sum of thirty-five thousand dollars, signed by the party or parties making the proposals, with two or more responsible persons as securities, conditioned, should the proposals be accepted, for the faithful performance of the work in accordance with the bid contained in the proposals; and no sealed proposals shall be considered unless accompanied with such bond, and an agreement, in writing, to make no discrimination on account of race or color in the employment of printers.

Committees
on Printing of
House and
Senate to re-
ceive propo-
sals, and award
contract to
lowest bidder.

SEC. 4. That the said proposals shall be addressed, one copy respectively, to the Chairman of the Committee on Printing of the House of Representatives, and one copy to the Chairman of the Committee on Printing of the Senate; and within ten days after the meeting of the General Assembly, they shall open, in the presence of their respective Committees jointly, such proposals by them received, and award the contract to the lowest responsible bidder for the same: *Provided*, That no contract be awarded to exceed the sum of fifty thousand dollars for the printing of any one year.

Proviso.

SEC. 5. That all Acts or parts of Acts, and all Joint Resolutions or parts of Joint Resolutions, inconsistent with this Act be, and the same are hereby, repealed.

Approved March 17, 1874.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO MAKE APPROPRIATION TO MEET THE ORDINARY EXPENSES OF THE STATE GOVERNMENT FOR THE FISCAL YEAR COMMENCING NOVEMBER 1, 1873," APPROVED MARCH 9, 1874.

A. D. 1874.

No. 622.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That sub-division six of Section three (3) of an Act entitled "An Act to make appropriation to meet the ordinary expenses of the State government for the fiscal year commencing November 1, 1873," approved March 9, 1874, be, and the same is hereby, amended so as to read as follows: "If the proceeds of the tax levied for the payment of the expenses of the General Assembly shall be insufficient to pay in full the appropriations herein made, the State Treasurer is directed, after paying the salaries and mileage of the members, to pay the salaries and per diem of the officers, Engrossing Clerks, Solicitors and then the employees of the General Assembly, prior to any claim for contingent or incidental expenses whatsoever, and to divide the remainder between the House and Senate orders, and then, in case there is a deficiency in the appropriations made for legislative expenses and printing in said Act, the State Treasurer is hereby authorized and directed to issue certificates of indebtedness to the amount of said deficiencies for the payment thereof, to be redeemed out of the taxes collected for the fiscal year commencing November 1, 1874, as provided for in an Act entitled "An Act to raise supplies for the fiscal year commencing November 1, 1873, and to alter and amend the law in relation to the collection of taxes," approved December 22, 1873.

Section 3 of Act to make appropriation for ordinary expenses of State government amended.

State Treasurer to pay attaches of General Assembly after paying members.

In case of deficiency, certificates of indebtedness to be issued.

Approved March 17, 1874.

AN ACT TO INCORPORATE THE AIKEN COUNTY MANUFACTURING COMPANY.

No. 623.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Delevan Yates, Henry Hahn, John McRay, C. D. Hayne and S. J. Lee, and such other persons as may become associated with them, and their successors, are hereby made and declared a body politic and corporate in law, under the name and style of the Aiken County Man-

Corporators.

Corporate name.

A. D. 1874.
 {
 Objects of
 corporation.
 }
 manufacturing Company, for the purpose of spinning and manufacturing cotton and woolen fabrics, at such locality in Aiken County as said corporation may select, with a capital stock of one hundred and fifty thousand dollars, to be divided into one thousand five hundred shares of one hundred dollars each.

Books of subscription.
Certificate to be filed in Secretary of State's office.
Meeting for organization.
 SEC. 2. That the corporators herein named shall be permitted to open books of subscription to the capital stock of said company, at such times and places as they may deem fit, and may appoint suitable persons to receive subscriptions to the same, and whenever the sum of ten per cent. shall have been paid in to said capital stock, the said corporators, or any two of them, shall file in the office of the Secretary of the State their affidavit that such amount has been *bona fide* paid in, and thereupon the persons who have subscribed to the stock of said company shall have three weeks' public notice, by advertisement in one or more newspapers of this State, of the amount of capital subscribed, and of the time and place when and where such stockholders shall meet to organize said company.

Election of officers.
Manner of voting.
 SEC. 3. That said company shall, at said meeting, be organized by the election of a President, Vice President, and such number of Directors and other officers for such term as the stockholders present may decide upon then, or at any time thereafter, and that annually thereafter the President and Directors, so elected, shall call together the stockholders for the purpose of electing officers of the corporation, and for the purpose of transacting such business relating to the interests of the company as they may deem fit; and at such meeting any member of said corporation will be allowed one vote for every share owned, and to cast a vote by proxy.

General powers.
 SEC. 4. That said company, when organized as herein provided, may establish by-laws for the usage and government of the company not repugnant to the laws of this State; may purchase and hold such real estate as may be necessary for their purpose, and may transfer the same; may sue and be sued, plead and be impleaded, in the Courts of this State; may have and use a corporate seal, and may enjoy all the rights, privileges and immunities of similar bodies corporate in this State. They shall also enjoy such special privileges and immunities as are now, or hereafter may be, conferred by law on similar manufacturing companies within this State.

When may commence business.
Liability of stockholders.
 SEC. 5. That whenever the said ten per cent. shall be paid into the capital stock of said company it shall be authorized to commence business as a manufacturing company under this charter. Each stockholder shall be liable to the amount equal to his stock

for the debts of said company according to the number of shares held in said corporation.

A. D. 1874.

SEC. 6. This Act shall be taken and deemed a public Act, and to remain in force for a term of thirty years.

Approved March 17, 1874.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF HORRY COUNTY TO LEVY AND COLLECT AN ADDITIONAL TAX. No. 624.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Horry County be, and they are hereby, authorized and required to cause to be levied and collected a special tax of two (2) mills upon the dollar on all the taxable property of the said County, to be devoted exclusively to the payment of the past due indebtedness of the said County, and to be levied and collected annually in the same manner and at the same time that other taxes are levied and collected, for the two fiscal years immediately succeeding the passage of this Act.

Two mill tax for past indebtedness.

SEC. 2. That all persons holding claims against said County be, and they are hereby, required to file a list of such claims in the office of the County Commissioners of said County on or before the first day of November, 1874, the said claims so filed to be paid by the County Treasurer of said County out of the proceeds arising from the aforesaid tax, on the warrants of the County Commissioners of said County, said warrants to be paid in two equal annual installments.

Claims to be registered; to be paid on warrants in two installments.

Approved March 17, 1874.

AN ACT TO INCORPORATE THE GRAND LODGE OF THE INDEPENDENT ORDER OF GOOD TEMPLARS, OF SOUTH CAROLINA. No. 625.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. Kalstrom, Rev. H. M. Mood, Rev. J. M. Carlisle, Rev. J. S. Connor, F. A. Tradewell, George W. Irwin, and their associates and successors, be, and they are hereby, declared a body corporate and politic, by the name and title of the Grand Lodge of the Independent Order of Good Templars, of South Carolina, and that they have

Corporators.

Corporate name.

A. D. 1874.

Powers and
privileges.

power, by their corporate name and style, to sue and be sued, to plead and be impleaded, in the Courts of this State; and shall be enabled and empowered in law to purchase, have, hold, enjoy and possess chattels, lands, tenements or real estate, of what kind or nature soever, and the same, or any part thereof, to sell, alien or convey at their will and pleasure: *Provided*, That the property so held shall not exceed the annual value of sixty thousand dollars. And the said corporation shall have power to make and have a common seal, with power to change the same at any time; and shall have power to make their own constitution and by-laws, not inconsistent with the laws of the land.

SEC. 2. That this Act shall be deemed a public Act, and shall continue in force until repealed.

Approved March 17, 1874.

No. 626. AN ACT SUPPLEMENTARY TO CHAPTER XV, TITLE IV, PART I, OF THE GENERAL STATUTES OF SOUTH CAROLINA, RELATING TO THE MILITIA, AND FOR THE BETTER ORGANIZATION AND GOVERNMENT OF THE SAME.

Adjutant and
Inspector General,
election of

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That there shall be an Adjutant and Inspector General elected by the qualified electors of this State, on the first Tuesday following the first Monday in November, A. D. 1874, and the same day in every second year thereafter.

Vacancy in
said office, how
filled.

SEC. 2. That in the event of a vacancy occurring in the office of Adjutant and Inspector General, whether from death, resignation, disqualification or other cause, the Governor shall have full power to appoint some suitable person, who, on being duly qualified according to law, shall be entitled to enter upon and hold the office for the unexpired term of the former incumbent, and shall be subject to all the duties and liabilities incident to his office, and receive the same compensation as provided by law for the Adjutant and Inspector General during his term of service: *Provided*, That no such unexpired term for which an appointment is made shall exceed one year, and if it shall exceed one year, the Governor shall order a special election to fill such vacancy.

Duties and li-
abilities.

Proviso.

Militia,
when subject
to active duty.

SEC. 3. That the militia enrolled under the provisions of Chapter XV, Title IV, Part I, of the General Statutes of South Carolina shall not be subject to active duty except in case of a war or for the purpose of preventing, repelling or suppressing invasion,

insurrection or riot, or of aiding civil officers in the execution of the laws, in which cases the Commander-in-Chief shall order out for actual service, by draft or otherwise, as many of the militia as necessity demands.

A. D. 1874.

SEC. 4. Any person who is ordered out as aforesaid, or volunteers, and fails to appear at the time and place designated for his reporting for duty, or who has not some able-bodied and proper substitute at such time and place, or does not pay to the County Treasurer, for the use of the State, the sum of fifty (50) dollars, within twenty-four hours from such time, shall be taken to be a soldier absent without leave, and shall be dealt with accordingly, unless a satisfactory excuse can be given.

Penalty for failure to report for duty.

SEC. 5. When the militia are ordered out or have volunteered for, and while they are in, actual service, as heretofore specified, they shall be organized by the Commander-in-Chief into companies, regiments, brigades and divisions, and proper officers appointed therefor. They shall be subject to the same rules and articles of war as troops of the United States, and during their term of service be entitled to the same pay, rations and allowances for clothing as are or may be established by law for the army of the United States.

Militia, how organized.

To what rules subject.

SEC. 6. The active militia shall be composed of volunteers, and shall constitute part of the enrolled militia, and shall be subject to all the laws of the State and the United States relative to the enrolled militia. They shall be known as the National Guard of the State of South Carolina. In case of war, or for repelling, preventing or suppressing invasion, insurrection, or for aiding civil officers in the execution of the law, they shall be ordered first into service.

Of what composed.

Name of.

When may be ordered into service.

SEC. 7. The Commander-in-Chief shall arrange the National Guard into divisions, brigades, regiments and battalions, and make such alterations thereof as may, from time to time, be necessary. Each of the said organizations shall be numbered, and each company lettered as is necessary to secure uniformity, a record thereof being made in the office of the Adjutant and Inspector General. Companies of cavalry and artillery inconveniently located for such organization may be attached to such brigades or divisions as the Commander-in-Chief shall order.

How to be arranged.

SEC. 8. Whenever a petition for raising a volunteer company has been signed by not less than eighty-three men, and the order accepting the company has been issued by the Commander-in-Chief, the members thereof shall then sign an enlistment roll, issued from the office of the Adjutant and Inspector General, and shall take and subscribe the following oath, to be administered by the muster-

Petition for organization.

A. D. 1874.

Oath to be
administered.

ing officer, who is hereby vested with the power and authority to do so: "I do solemnly swear (or affirm) that I will support and defend the United States and the State of South Carolina against all their enemies and opposers, and that I will do my utmost to support the Constitution and laws of the United States and of the State of South Carolina against all violence of whatever kind and description; and I further swear that I will execute and obey the orders of all officers placed over me. So help me God."

Companies, of
how many to
to consist.

Companies
now in service
to be re-organ-
ized.

SEC. 9. No company can be mustered in unless at least eighty-three men have been enlisted therein. Companies now in the service of the State shall at once re-organize under the provisions of this Act, by the members signing proper enlistment rolls and being mustered into the service of the State as a part of the National Guard; and for the purpose of such re-organization, sixty men shall be considered the minimum. Such companies not re-organizing as herein provided on or before the first day of January, A. D. 1875, shall be disbanded, and the commanding officer of the regiment to which any such company may be attached is hereby authorized and required to take possession of all arms, accoutrements or other military property belonging to the State in the possession of such company; and any member thereof who shall refuse or neglect to deliver the same shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by fine not exceeding one hundred dollars nor less than ten dollars, or by imprisonment not exceeding thirty days. And the said property, wherever found, may be taken possession of by the commanding officer of such regiment, or by any officer or soldier acting under his orders: *Provided*, The General commanding the division to which company or companies may be attached shall have power to extend the time for the re-organization herein required upon the recommendation of the regimental commander.

Who may ex-
tend time
thereof.

Muster rolls
to be in tripli-
cate.

SEC. 10. Muster-in rolls shall be made in triplicate, one of which shall be retained at the headquarters of the regiment. The original shall be forwarded to the office of the Adjutant and Inspector General within ten days from any muster of men, and one roll shall be retained by the company commander.

Officers and
privates to be
held to service.

SEC. 11. All officers and privates of the National Guard shall be held to service in their several companies, battalions, regiments, brigades and divisions for three years, unless sooner discharged.

Who may
grant dis-
charges.

SEC. 12. No officer inferior in grade to regimental commanders shall have power to grant discharges to non-commissioned officers and privates. Discharges shall be given in writing, setting forth fully the cause of the discharge, and signed by the officer granting the same; *Provided*, That no member of any company shall be

discharged from service until he has obtained the certificate of the commanding officer of his company that he has turned over, or satisfactorily accounted for, all property issued and charged to him.

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SEC. 13. Any officer desiring to resign his commission and be discharged from the service shall express his desire in writing, and transmit the same to the Commander-in-Chief, immediately through and by all intermediate commanders, who will endorse thereon their recommendation in the case, and the resignation shall go into effect when accepted by the Commander-in-Chief, and not before; but no officer shall be permitted to resign his commission while under arrest, nor until he has accounted for and delivered to the proper officer all money, records, arms, accoutrements and other military property belonging to the State in his possession.

How discharges may be obtained.

SEC. 14. Each regularly organized company of the National Guard shall be furnished by the State with such arms and equipments as are required, upon the written requisition of the commanding officers of such companies respectively, approved by the regimental commander. And the arms and equipments so furnished, together with all other military property which may be furnished to any organization of the National Guard, shall remain and continue to be the property of the State, to be used for military purposes only, and to be returned whenever called for by proper authority; or if the same is willfully or negligently wasted or destroyed by an officer or company, the Commander-in-Chief may, upon satisfactory evidence to that effect, dishonorably discharge the officer and disband the company.

Organized companies, how to be furnished with equipments, &c.

Articles furnished to remain property of State.

SEC. 15. Any officer who shall receive, according to the provisions of this Act, any arms, equipments or other military property from the State shall distribute the same to his command as he shall deem proper, taking vouchers therefor; and he shall require those to whom they are distributed to return them at such time and place as he shall order and direct; and every officer, non-commissioned officer and private of any company of the National Guard to whom any arms, equipments or other military property shall be so delivered shall be held personally responsible for its care, safe keeping and return. He shall use the same for military drills, parades and musters only; and upon receiving a discharge, or otherwise leaving the military service, or upon the demand of his commanding officer, he shall forthwith surrender and deliver up the said arms and equipments, together with all other military property that may be in his possession, to the said commanding officer, in as good order and condition as the same were at the time he received them, reasonable use and ordinary wear thereof excepted.

Duties of officers receiving arms, etc.

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Penalty for retaining or injuring military property.

SEC. 16. Any officer, non-commissioned officer or private who shall, contrary to the lawful order of the proper officer, retain in his possession or control any arms, equipments or other article of military property belonging to the State, or who shall willfully or maliciously destroy or injure any such property, or who shall, when not on duty, use or wear any such property without permission of his commanding officer, shall be tried by court martial and punished as hereinafter provided. And all other persons who shall, either willfully or maliciously, destroy or injure, or purchase, retain or have in custody or possession, without right, any such military property belonging to the State, and shall, after demand, refuse to deliver the same to any officer entitled to take possession thereof, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine double the amount of the value of such military property so injured, destroyed, purchased or retained, or by imprisonment in the County jail for two days for every dollar of such fine; and such fine shall be paid into the military fund of the regiment to which such property belonged. Any commanding officer may take possession of such military property wherever the same may be found.

Liability of officers for military property.

SEC. 17. Any officer receiving public property for military use shall be accountable for the articles so received by him, and shall not be discharged or allowed to resign from the service until he has returned to the Adjutant and Inspector General a receipt from his successor in command, or a proper accounting officer, for the articles issued to him in good order and condition, or shown to the Adjutant and Inspector General, by satisfactory proof, that any article not so accounted has been properly expended in the service, or injured, lost or destroyed without any default or neglect on his part; and, if lost or willfully injured or destroyed through the misconduct of any person, that reasonable efforts have been made by him to recover or prosecute for the same; and, in addition, he shall be liable to make good to the State all such property so injured, lost or destroyed by any neglect or default on his part, and for the recovery of which he has made no reasonable effort.

Company parades.

SEC. 18. Commanders of companies shall cause their companies to parade not less than once in each year; in addition to such parades, they shall order company drills at least once in each month.

Regimental, brigade and division parades.

Regimental, brigade and division commanders may order out their respective commands, or any part of them, for parade, drill, review or inspection at such times and places as they may deem most convenient. The Commander-in-Chief may order reviews or encampments of such portions of the militia at such times and places as he shall deem proper.

SEC. 19. No officer, non-commissioned officer or private shall fail in repairing at the time fixed to the place of parade, drill or other rendezvous appointed by his commanding officer, if not prevented by sickness or some other evident necessity, or shall go from the said place of rendezvous, without leave from his commanding officer, before he shall be regularly dismissed or relieved, on the penalty of being punished, according to the nature of his offense, by the sentence of a court martial.

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Penalty for
absence from
parades, &c.

SEC. 20. The commanding officer at any parade or drill may cause those under his command to perform any field or camp duty he shall require; and, also, may put under guard, for the day or time of continuing such parade or drill, any officer, non-commissioned officer or private who shall disobey the order of his superior officer, or in any way or manner interrupt the exercises of the day. He may ascertain and fix the necessary bounds and limits to his parade ground, within which no spectator shall enter without leave from such commanding officer; and whoever intrudes within such limits, after being forbidden, or in any way or manner interrupts or molests the orderly discharge of duty of those under arms, may be confined under guard during the time of such parade or drill.

Duties of officers
in regard
to parades.

SEC. 21. For the purpose of notifying the non-commissioned officers and privates for any parade, drill or other rendezvous, the commandant of each company shall issue his orders, either by warrant or otherwise, to one or more of his non-commissioned officers or privates, requiring them, respectively, to warn all the officers, non-commissioned officers and privates of his company to appear at the time and place appointed, armed and equipped according to law and regulation. Each non-commissioned officer or private to whom such order shall be given shall give notice, either verbally or in writing, of such time and place to every person whom he is ordered to warn; or, in case of his inability to find such person, he shall leave a written notice at his usual place of abode or business with some person of suitable age and discretion, or shall send the same to him by mail.

Notice of parades, &c., how made.

Warning to appear.

SEC. 22. Such non-commissioned officer or private shall make a return to the commandant of his company, in which he shall state the names of all persons by him warned and the manner of warning them, respectively, and shall make oath to the truth of such return; and such commandant shall deliver the return, together with his own return, of all delinquencies, whenever required, to the commanding officer of his regiment, who shall forward the same to the President of the proper court martial. The return of such non-commissioned officer or private, so sworn to, shall be

Return of person serving notice.

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as good evidence on the trial of any person returned as a delinquent of the facts therein stated as if such non-commissioned officer or private had testified to the same before the court martial on such trial; but nothing in the provisions of this Act shall be so construed as to preclude, in the absence of a proper return, the giving in evidence at any court martial, upon trial for delinquencies, neglect of duty, or offense whatsoever, matters of fact which go to substantiate the charge or offense.

Company commanders to make like returns.

SEC. 23. Every commandant of a company shall make the like return, and with like effect, of every delinquency and neglect of duty of his non-commissioned officers, either in not attending at any parade or drill, or not executing or returning a warrant to them directed or delivered, or not obeying the orders of their commanding officers, and also the names of every officer, non-commissioned officer or private who shall refuse or neglect to obey the orders of his superior officer, or to perform such military duty or exercise as may be required, or depart from his colors, post or guard, or leave the ranks without permission from his superior officer.

Commissioned officer may warn his command to parade

SEC. 24. Any commissioned officer of a company may, without warrant, warn any or all of the members of his command to appear at any parade, drill or rendezvous. Such warning may be given by him either personally or by leaving a notice or sending by mail, in the same manner as if given by a non-commissioned officer, and his certificate shall be received by any court martial as legal evidence of such warning.

Warning to appear at future days.

SEC. 25. When a company is paraded, or assembled for any other purpose, the commanding officer may verbally warn the men to appear on some future day, and not more than thirty days from such time, which shall be sufficient notice as respects the persons present; and a record of the names of the officers and privates then present, signed by such commanding officer, shall be sufficient evidence of such warning.

Officers, etc., how warned.

SEC. 26. The officers and non-commissioned staff officers of each regiment or battalion shall be warned to attend at any parade or drill in the same manner as is prescribed by law for the warning of the privates of any company; and the commanding officer of each regiment or battalion may designate and order any or all of the non-commissioned staff officers of the regiment or battalion to perform that duty, who shall make return thereof to the commanding officer or adjutant of the regiment or battalion, in the same manner and under the same penalty for delinquencies as are by law imposed on non-commissioned officers or privates of companies for similar delinquencies.

SEC. 27. All commanding officers of regiments, battalions or companies may, on any parade or drill, read division, brigade or regimental orders, and notify the officers and soldiers of their several commands to appear as by such orders required, which notice shall be a sufficient warning to all persons present.

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Reading of orders.

SEC. 28. The commanding officer of any division, brigade, regiment or battalion may require the commissioned officers and non-commissioned officers of his command to meet for instruction, exercise and improvement at such times and places as he shall appoint; and he may require them to appear with such arms and accoutrements as he may prescribe; said officers shall thereupon be formed into a corps of instruction, without regard to rank, and shall be thoroughly instructed in the manual of arms, the school of the soldier and company, and in such other theoretical and practical details of duty as the said commanding officer shall deem proper.

Officers, meetings for instructions, exercise, &c.

SEC. 29. Any person belonging to the military forces of this State, going to or returning from any parade, drill or meeting which he may be required by law to attend, shall, together with his conveyance and the military property of the State, be allowed to pass free through all toll-gates and over all toll-bridges and ferries.

Militia on parade exempt from toll.

SEC. 30. The adjutant of each regiment shall, on or before the 15th day of January of each year, and oftener, if required, return to the commander of his regiment the names of all commissioned staff and line officers of such regiment absent from any parade, drill or rendezvous during the preceding year. Upon the receipt of such return, the commander of such regiment shall order a court martial to pass upon such delinquencies.

Duties of regimental adjutants.

SEC. 31. Any officer who neglects to perform the duties of his office, or to obey the rightful orders of his superiors, or who is guilty of conduct unbecoming an officer and a gentleman, or who violates any of the provisions of this Act, may be put under arrest by his superior officer, and tried by a court martial.

Trial by courts martial.

SEC. 32. All courts martial for the trial of commissioned officers shall consist of not less than five nor more than thirteen officers, and in all cases a majority of the court shall be of not less rank than the accused. Regimental commanders shall have power to appoint regimental courts martial for the trial of all officers, except field officers, of their respective regiments. In all cases where the regimental commander is the accuser, and for the trial of all other officers within their respective commands, the commanders of brigades shall have power to order general courts martial. In all cases where the brigade commander is the accuser, or where the regimental or brigade commander neglects or refuses to order a court martial, then the court shall be ordered by the division commander.

Said courts, how constituted.

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For the trial of a brigadier or major-general, courts martial shall be ordered by the Commander-in-Chief.

Sentence of
courts martial.

SEC. 33. Courts martial may sentence an officer convicted by them to be punished according to the nature and degree of the offense, and according to military usage; but in time of peace such punishment shall not extend further than cashiering the officer convicted, and disqualifying him from holding any office in the militia of this State, and imposing a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days. Officers cashiered by sentence of a court martial shall be precluded thereby from again volunteering into the military service of the State, except the sentence be remitted by the Commander-in-Chief.

Courts of in-
quiry.

SEC. 34. Courts of inquiry, to consist of three officers and a Judge Advocate, may be instituted by the Commander-in-Chief, or by the commanding officer of a division, brigade or regiment, in relation to those officers for whose trial they are authorized to appoint courts martial, for the purpose of examining into any military transaction, or the conduct of any officer, either by his own solicitation or on a complaint or charge of improper conduct, or for the purpose of settling a military question, or for establishing good order and discipline. Such court of inquiry shall, without delay, report the evidence adduced, a statement of facts, and, when required, an opinion thereon, to the officer instituting such court, who may, in his discretion, thereupon appoint a court martial for the trial of the officer whose conduct shall have been inquired into.

Courts for trial
of non-com-
missioned of-
ficers and pri-
vates.

SEC. 35. For the trial of non-commissioned officers and privates, regimental commanders may at any time appoint a court martial for their respective regiments, such courts to consist of at least three commissioned officers. The court, when organized, shall have the trial of all offenses, delinquencies and deficiencies that occur in the regiment for which it shall have been appointed.

Trials to be
conducted ac-
cording to
usage of United
States.

SEC. 36. No officer, non-commissioned officer or private shall be tried except on written charges and specifications. The arraignment of the accused, the proceedings, trial and record, shall in all respects conform to the forms and requirements of the United States law and practice of courts martial, except as herein otherwise provided.

Proceedings
and sentence,
to whom trans-
mitted.

SEC. 37. The proceedings and sentence of a court martial shall, without delay, be transmitted to the officer ordering the court, or to his successor in command, who shall, within fifteen days thereafter, approve, disapprove, commute or remit the sentence, and issue his order thereon; and he shall also transmit such proceedings and sentence, with his action thereon, to the Adjutant and Inspector General, to be filed in his office.

SEC. 38. Every member of a court martial shall keep secret the proceedings and sentence of the court until the same shall be approved or disapproved, or otherwise acted upon according to law, and shall always keep secret the vote or opinion of any particular member of the court, unless required to give evidence thereof by a court of justice in due course of law.

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Proceedings
of court to be
kept secret.

SEC. 39. The President of every court martial or court of inquiry shall be the member of the court senior in rank, who, besides his duties and privileges as a member, shall be the organ of the court to keep order and conduct its business. In his absence the senior officer present shall preside, with all the powers of the President. All the members of such court shall, when on duty, be in full uniform; and the court may sit without regard to hours, and may adjourn from time to time, as may be necessary for the transaction of business.

Who may be
President of
such courts.

Members of
court to be in
uniform.

SEC. 40. Courts martial and courts of inquiry are authorized and empowered to preserve order during their sessions, and any person or persons who shall be guilty of disorderly, contemptuous or insolent behavior in, or use any insulting or contemptuous or indecorous language or expressions to or before, any such court, or any member of either of such courts, in open court, intending to interrupt the proceedings or to impair the respect or authority of such courts, may be committed to the jail of the County in which said courts shall sit for a time not exceeding twelve hours, by warrant, under the hand and seal of the President of such court.

General pow-
ers of courts
martial.

SEC. 41. Courts martial and courts of inquiry shall issue subpoenas for all witnesses whose attendance at such courts may, in their opinion, be necessary in behalf of the State, and also, on application, for all witnesses in behalf of any officer charged or accused or persons returned as delinquents; and may direct the commandant of any company to cause such subpoena to be served on any witness or member of his company. Such courts shall also have power to administer the usual oath to witnesses and to compel witnesses to appear and testify, by attachment, fine and imprisonment, as courts of common law. And all Sheriffs, jailers and Constables are hereby required to execute any process issued by such courts for any of the aforesaid purposes.

Judicial pow-
ers of such
courts.

SEC. 42. The President of any court martial or court of inquiry may appoint, by warrant, under his official signature, one or more marshals, who shall, when required, execute any process lawfully issued by such President or court, and perform all acts and duties by this Act imposed on and authorized to be performed by any Sheriff or Constable. The marshals so appointed shall, before entering upon their duties of collecting fines and penalties, execute a

Marshals—
powers and du-
ties.

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Fines and penalties.

bond, with sufficient sureties, to be approved by the President of the court appointing them, for the faithful performance of their duties.

SEC. 43. Every officer, non-commissioned officer or private shall, on due conviction by any court martial, be subject, for the following offenses, to the fines and penalties thereto annexed :

1. In time of peace, every commissioned officer, for disobedience of orders, neglect or ignorance of duty, conduct unbecoming an officer and a gentleman or prejudicial to good order and military discipline, neglecting to comply with or violating any of the provisions of this Act, shall be cashiered, disqualified from holding any military commission, fined to an amount not exceeding one hundred dollars, imprisoned not exceeding thirty days, or reprimanded, or be sentenced to all or either of such fines and penalties, within the discretion of the court.

2. Every commissioned officer, for non-attendance at any parade, drill or place of rendezvous, a fine of not less than five nor more than fifty dollars.

3. Every non-commissioned officer and private, for non-appearance when duly warned at any company parade, inspection, muster or drill, a fine of one dollar ; for non-appearance at a regimental or battalion parade, inspection or drill, a fine of two dollars ; for disobedience of orders or disrespectful or insubordinate conduct, a fine not exceeding fifty dollars.

4. Every officer, non-commissioned officer or private, for neglecting or refusing to obey the orders of his superior officers on any day of parade, drill or inspection, or to perform such military duty or exercise as may be required, or departing from his colors, post or guard, or leaving his place or ranks without permission, a fine of not more than one hundred nor less than five dollars.

5. Every officer, non-commissioned officer or private, for neglecting or refusing to obey any order or warrant to him lawfully given or directed, or to make a proper return thereof, or neglecting or refusing, when required, to summon a delinquent before a court martial, a fine not more than fifty nor less than five dollars.

6. Any officer, non-commissioned officer or private who shall neglect or refuse to surrender or deliver up, upon demand of his commanding officer, in accordance with Section 13 of this Act, any arms, equipment or other military property of the State that may be in his possession, shall be fined not more than one hundred nor less than ten dollars ; and any officer may take possession of such military property wherever the same may be found.

7. Every non-commissioned officer or private appearing at any parade, drill, inspection or review deficient in all or any of the arms, equipments or uniform furnished by the State, or unser-

viceable or in bad condition, if from his own neglect, a fine of five dollars.

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In addition to, or in lieu of, the fines herein specified, the offender shall be liable, in the discretion of the Court, to be dishonorably discharged from the command to which he belongs.

SEC. 44. For the purpose of collecting any fines or penalties imposed by any court martial authorized by this Act, the President of the court shall, within thirty days after the fines or penalties have been imposed and approved, issue an execution or warrant, under his official signature, directed to any marshal of the court, or to all and singular the Sheriffs and Constables of the State, thereby commanding them to levy such fines and penalties, together with the costs, on the goods and chattels of such delinquent, and in default of sufficient goods and chattels to satisfy the same, then to take the body of such delinquent and convey him to the common jail of the County, where he shall be kept in confinement by the Sheriff or jailer for two days for any fine or penalty not exceeding five dollars, and one additional day for every dollar above that sum, unless the fine or penalty be sooner paid; but no such imprisonment shall extend beyond the period of thirty days: *Provided, however,* That the prisoner may be liberated at any time by order of the officer ordering the court martial by which he was convicted.

Fines, &c.—
how collectable

SEC. 45. Every Marshal, Sheriff or Constable to whom any such warrant or execution shall be directed and delivered is hereby authorized and required to execute the same, by levying and collecting the fines and penalties, and make return thereof to the officer who issued the same within sixty days from the receipt of such execution or warrant, paying over the amount collected to the proper officer, in accordance with the provisions of this Act. Any Marshal, Sheriff or Constable failing or refusing to execute such execution or warrant as herein required, or to make return thereof and pay over fines so collected, shall be subject to rule and attachment from the Court of Common Pleas of the County wherein he resides, upon motion of any attorney, President of a court martial, the officer ordering the same, or any other officer whose duty it is to see that such process be duly executed.

SEC. 46. All fines and penalties so collected from any officer, non-commissioned officer or private of a regiment shall be paid by the officer collecting the same to the paymaster of the regiment to which the person so fined belonged, and shall constitute a portion of the military fund of such regiment, which shall be disbursed by order of the commanding officer of such regiment. All fines and penalties so collected from any other commissioned officer shall be paid

Disposition of
fines, &c., col-
lected.

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by the officer collecting the same to the Treasurer of the State, to be expended for the use of the militia of the State.

Paymaster—
powers and du-
ties.

SEC. 47. For each regiment there shall be appointed a paymaster, with the rank of captain, who shall receive all fines and penalties collected and payable to such regiment. He shall give a bond in the sum of one thousand dollars for the faithful discharge of his duties, to be approved by the commanding officer of the regiment for which he is appointed. Each paymaster shall be compelled to account, at least once in twelve months, and oftener if required, to the commanding officer of the regiment of which he is paymaster, which accounts shall be subject to the inspection of the Brigadier General, Major General and Commander-in-Chief, respectively. A copy of said accounts shall be forwarded to the Adjutant and Inspector General, to be filed in his office.

Pay of mar-
shals.

SEC. 48. Out of the fines and penalties imposed by any court martial and collected, there shall be paid, upon the certificate of the President of such court, approved by the officer ordering the same, to every Marshal appointed by any such court, one dollar for every day actually employed in the execution of the duties required of him.

Pay of Sher-
iffs and Con-
stables.

SEC. 49. For executing any process, or performing any service required by the provisions of this Act, Sheriffs and Constables shall be entitled to the same fees as they are allowed by law for similar services in civil or criminal cases. Marshals appointed by the President of any court martial, to whom an execution or warrant for the collection of fines and penalties may be directed or delivered, shall be entitled to the like fees as Sheriffs for similar services.

No action to
be maintained
against officers
of courts mar-
tial.

SEC. 50. No action shall be maintained against any member of a court martial, or officer or agent acting under its authority, on account of the imposition of a fine or penalty, or for the execution of a sentence on any person, if such person shall have been returned as a delinquent and duly summoned before such court, or shall have appeared before such court to answer the charges made against him; and when a suit or proceeding shall be commenced in any Court by any person against any officer of this State, for any act done by such officer in his official capacity in the discharge of any duty under this Act, or against any person acting under authority or order of any such officer, or by virtue of any warrant issued by him pursuant to law, the defendant may require the plaintiff in such suit or proceeding to file security for the payment of the costs that may be incurred by the defendant in such suit or proceeding, and the defendant in all cases may plead the general issue, and give the special matter in evidence.

SEC. 51. All commanding officers of companies, regiments, brigades or divisions shall have power to place in arrest any officer, and order in confinement any non-commissioned officer or private who may be under their command, and persons in arrest or confinement will not bear arms during the continuance of such arrest or confinement.

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Power of officers to arrest removed and commit offenders.

SEC. 52. No commissioned officer, except staff officers, shall be removed from office, or dismissed from the service, unless by the sentence of a legally constituted court martial, rendered after a fair trial, and approved in the manner prescribed by the provisions of this Act, except in the following cases, when they may be dismissed by the Commander-in-Chief: Upon conviction of an infamous crime; removal out of the bounds of his command to so great a distance that in the opinion of his commanding officer it is inconvenient to exercise his command.

Officers, how removed and dismissed.

SEC. 53. No officer, non-commissioned officer or private shall be arrested except for treason, felony or breach of the peace, while going to, returning from or attending upon any military duty, court martial or court of inquiry which it is his duty to attend.

Exemption from arrest, &c.

SEC. 54. No citizen of the State above the age of forty-five years shall, on account of such age, be ineligible to office in the militia, nor incapable of serving in a volunteer company, and no citizen of the State, otherwise qualified, shall be ineligible to office in the militia from not having been enrolled therein.

Eligibility to office in the militia.

SEC. 55. Any company of the National Guard may, by a vote of two-thirds of its members, form by-laws, rules and regulations, not inconsistent with this Act, for the government and improvement of its members in military science and discipline; and such by-laws, rules and regulations shall be binding, but they may be altered from time to time, as may be found necessary, by the same vote. For the violation of such by-laws, rules and regulations, the non-commissioned officer or private offending may be expelled from the company by a two-thirds vote, a majority of all its members being present; and upon such action of the company being confirmed in orders by the commander of the regiment or battalion, and in case of a separate troop or battery, by the commander of the brigade or division to which such separate troop or battery is attached, the name of such person shall be stricken from the roll of such company, and he shall cease to be a member. Any fine for offenses against such by-laws, rules and regulations of any company, not exceeding the sum of fifteen dollars, a certified copy of the proceedings relating to the infliction of which has been returned to any regimental court martial, may be enforced by such court, due notice being given to the delinquent; and any such fines, when collected,

General powers.

A. D. 1874.

shall be paid over to the company of which the offender or delinquent is a member.

Renewal of
warrants for
fines.

SEC. 56. If any officer, having a warrant for the collection of any fine or penalty, shall not be able to collect the fine or penalty within the time specified therein, then the officer issuing the warrant may at any time thereafter, within two years from the time of imposing the fines, issue a new warrant against any delinquent, or renew the former warrant, from time to time, as may become necessary.

Power to ad-
minister oaths.

SEC. 57. Any commissioned officer shall have authority to administer oaths to military persons, when such may be necessary, under any of the provisions of this Act, and the same penalties shall attach to false swearing in such cases as are now provided by law in case of perjury.

Militia sub-
ject to rules
governing
army of U.S.

SEC. 58. The rules and articles of war, and general regulations for the government of the army of the United States, so far as they are applicable, and are not inconsistent with any of the provisions of this Act, shall apply to the government of the active militia of this State, in such cases as may not be provided for by this Act; but no punishment under such rules and articles which shall extend to the taking of life shall in any case be inflicted, except in time of actual war, invasion or insurrection, declared by proclamation of the Governor to exist, and then only on the approval, by the Commander-in-Chief, of the sentence inflicting such punishment.

Enlistments.

SEC. 59. When a company is reduced below fifty privates, the commanding officer of the regiment to which such company is attached shall forthwith issue his orders to the commanding officer of the company to fill the ranks by enlistments to the number of fifty privates, and if, within thirty days after the receipt of such order, the ranks are not filled, the commander of the regiment shall give notice thereof to the Adjutant and Inspector General, and the Commander-in-Chief shall issue his order for disbanding the company, and directing the commander of the regiment to raise a company in its place.

Certain
words defined.

SEC. 60. In this Act the word "soldier" shall include all persons in the volunteer or enrolled militia, except commissioned officers; the word "company" may include battery and troop, and the word "regiment" may include battalion.

Board to
prepare forms
for use of mil-
itia.

SEC. 61. In order to carry into full effect the provisions of this Act, the Governor is hereby authorized to appoint, immediately upon the passage of this Act, a Board of three commissioned officers, who shall prepare all the necessary forms for the use of the militia of this State; and it is hereby made the duty of the Adjutant and Inspector General to have such forms, when so prepared, printed and distributed to the commissioned officers of the State. He shall

also have this Act, together with such forms and so much of the rules and articles of war for the government of the United States army as the said Board of officers may decide are applicable, published in pamphlet form, and two copies thereof sent to each commissioned officer, which books shall be held by them as property of the State, and delivered to their successors in office.

A. D. 1874.
Adjutant
General to
have forms, &c.
printed.

SEC. 62. That so much of Chapter XV, Title IV, Part I, Sections 2 and 11, as require an enrollment of the militia every two years, and the division of the same into two classes, and all Acts or parts of Acts inconsistent with this Act, be, and the same are hereby repealed.

Approved March 17, 1874.

AN ACT TO INCORPORATE THE SOCIETIES THEREIN NAMED. No. 627.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That G. A. Fields, Lemuel W. Gadsden, G. W. Brown, Clayton G. Galison, Edward H. Davis, Thomas H. Levy, Peter Wells, Daniel Carter, Bertram Richardson, their associates and successors, be, and they are hereby declared to be, a body politic and corporate, under the name and style, of the Rainey Hook and Ladder Company, of Florence, South Carolina.

Rainey Hook
and Ladder
Company in-
corporated.

SEC. 2. That T. W. Tilton, C. E. R. Drayton, John Stoubers, W. W. Hunting, G. W. Craft, their associates and successors, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Aiken Hook and Ladder Company, of Aiken, South Carolina.

Aiken, Hook
and Ladder
Company.

SEC. 3. That the Tilton Hook and Ladder Company, No. 1, and the several persons who are now or may hereafter be officers and members, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Tilton Hook and Ladder Company, No. 1, of Aiken, South Carolina.

Tilton Hook
and Ladder
Company.

SEC. 4. That P. Bacit, W. W. Dwight, W. H. Williams, J. A. Frazier, J. Brice, John J. Neil, their associates and successors, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Fairfield Engine Company, of Winnsboro.

Fairfield
Fire Engine
Company.

SEC. 5. That John Cantey, H. Clark, John B. Moore, B. C. Richardson, Johnson Hagood, Edward Cantey, C. J. Dunlap, and all other persons who are now or may hereafter become members or stockholders of the association known as the Camden Jockey Club,

Camden
Jockey Club.

A. D. 1874.

be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Camden Jockey Club, of Camden, South Carolina.

Aiken Jockey Club.

SEC. 6. That Thomas G. Bacon, Johnson Hagood, Garris Ashley, Henry Sparnick, W. A. Williams, John McRay, Luther W. Williams, T. C. Morgan, and E. J. C. Wood, and such other persons as may from time to time be associated with them, are hereby declared to be a body politic and corporate, under the name and style of the Aiken Jockey Club, of Aiken, South Carolina.

Citizens' Cemetery.

SEC. 7. That A. B. Mitchell, William T. Elfe, R. W. Turner, Thomas Aiken, Daniel Brown, their associates and successors, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Citizens' Cemetery, of Charleston, South Carolina.

Brotherly Union Republican Society.

SEC. 8. That E. D. Washington, S. F. Williams, R. D. Manley, N. D. Washington, B. G. Washington, B. W. Howard and T. Williams be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Brotherly Union Republican Society, of Beaufort County, South Carolina.

Sons and Daughters Cane Manuel Society.

SEC. 9. That Wm. Cloud, York Smalls, Frank Thomas, Louisa Millhouse, Margaret Thomas, Rosaner Nelson, Lisbun Bonneau and Carry Mack be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Sons and Daughters' Cane Manuel Society, of Charleston County.

South Carolina Jockey Club.

SEC. 10. That the South Carolina Jockey Club be, and is hereby, re-chartered, with the powers, rights and privileges heretofore granted by law.

Powers and privileges.

SEC. 11. That the said corporations shall have succession of officers and members according to their by-laws, and shall have power to make by-laws not repugnant to the laws of the land; to have, keep and use a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded, in any Court of this State; and to have and enjoy every right incident to incorporations.

Proviso.

SEC. 12. That they are also empowered to retain, possess and enjoy all such property as they may now respectively be possessed of or entitled to, or which shall hereafter be given, bequeathed to, or in any manner acquired by them, and to sell, alien or in any way transfer the same or any part thereof: *Provided*, The amount of property so held or stock so invested shall in no case exceed twenty thousand dollars.

Pacolet Baptist Church incorporated.

SEC. 13. That from and immediately after the passage of this Act, John R. Crocker, A. F. Kindrick, Robert Little, and all other persons who now are, or who hereafter shall or may become, members of said church, shall, and they are hereby declared to be,

a body corporate, by the name and style of Pacolet Baptist Church, and by their said name shall have succession of officers and members, and have a common seal.

A. D. 1874.

SEC. 14. That the said corporation shall have power to purchase, receive, hold and possess any real or personal property, not exceeding in value the sum of twenty thousand dollars, or to sell and convey the same, and by its corporate name to sue and be sued in any Court of this State, and to make such rules and by-laws, not repugnant to law, as may be deemed necessary and expedient.

Powers and privileges.

SEC. 15. That this Act shall be deemed a public Act, and continue in force for the term of twenty years, and until the next ensuing session of the Legislature.

Approved March 17, 1874.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RE-CHARTER THE FERRY OVER THE COMBAHEE RIVER, SOUTH CAROLINA, KNOWN AS THE COMBAHEE FERRY." No. 628.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to re-charter the ferry over the Combahee River, South Carolina, known as the Combahee Ferry," approved February 27, 1872, be, and the same is hereby, amended by striking out the name of "Arthur Middleton," wherever the same may occur, and inserting in lieu thereof the name of "Henry A. Middleton."

"Arthur Middleton" struck out and "Henry A. Middleton" inserted.

Approved March 17, 1874.

AN ACT TO INCORPORATE THE ATTUCK LIGHT INFANTRY, OF CHARLESTON, SOUTH CAROLINA, AND CERTAIN OTHER COMPANIES THEREIN NAMED, AND TO RENEW THE CHARTER OF THE CHARLESTON GAS LIGHT COMPANY. No. 629.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. M. Gadstone, W. J. Brodie, A. B. Mitchell, W. F. Kearson and R. W. Robinson, and their successors and associates, be, and they are hereby declared to be, a body politic and corporate, by the name and style of the Attuck Light Infantry, of Charleston, South Carolina; and that Henry Stokes, Isaac Simmons, Limus Smalls, Daniel

Corporators.

Corporate name.

A. D. 1874.

Mishaw
Zouaves in-
corporated.Palmetto
Light Infantry.Pe Dee
Guards.

Artson Rifles

Santee
Guards.Cain Rifle
Guards.Black Mingo
Rifle Guards.

Holmes, Stephney Wright, David Waring, George Washington and Detrow Jenkins, under the name and style of the Mount Pleasant Rifle Guards, of Charleston County; and that Charles S. Miller, Isaac Sawyer, Edward Labitut, George Becket, Richard Becket, S. Simons, A. Simons and Richard Edwards, under the name and style of the Mishaw Zouaves Rifle Company, of Charleston, S. C.; and that William R. Ryan, Edward P. Wall, Jr., and T. Garbon, under the name and style of the Palmetto Light Infantry, of Charleston, S. C.; and that C. S. Green, G. Brown and M. Days, under the name and style of the Pe Dee Guards, of Georgetown County; and that Thomas Aiken and others, under the name and style of the Artson Rifles, of Charleston; and that Joseph Buist and Thomas White, under the name and style of the Santee Guards, of Georgetown County; and that July Embly, John Dix and P. E. Jones, under the name and style of the Cain Rifle Guards, of Lewisville, Orangeburg County, S. C.; and that Frank Myers, Peter Pressley, Prince McKutchen and Toney Scott, under the name and style of the Black Mingo Rifle Guards, of Williamsburg County, and their successors and associates, be, and they are, respectively, incorporated and made and declared a body politic and corporate, in deed and in law.

General
powers.

SEC. 2. That each of the said corporations shall have the power to use and keep a common seal, and the same to alter at will; to make all necessary by-laws not repugnant to the laws of the land, and to have succession of officers and members conformable to such by-laws; to sue and be sued, plead and be impleaded, in any Court of this State; and to have, use and enjoy all other rights, and be subject to all other liabilities, incident to bodies corporate.

Charleston
Gas Light
Company's
charter ex-
tended.

SEC. 3. That the Charleston Gas Light Company have an extension of its charter, and the same is hereby incorporated for the term of thirty (30) years from the expiration of its present charter.

Approved March 17, 1874.

No. 630. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO VEST IN THE CHARLESTON LAND COMPANY THE CHARTER OF A FERRY FROM HAMLIN'S WHARF, IN THE CITY OF CHARLESTON, TO THE FOLLOWING POINTS ON THE WANDO RIVER, TO WIT: SCANLONVILLE, REMLEY'S POINT, VENNING'S LANDING AND DANIEL'S ISLAND LANDING.'"

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an

Act entitled "An Act to vest in the Charleston Land Company the charter of a ferry from Hamlin's Wharf, in the city of Charleston, to the following points on the Wando River, to wit: Scanlonville, Remley's Point, Venning's Landing and Daniel's Island Landing," be amended as follows: On line four (4), Section one (1), strike out "Hamlin's Wharf, in;" and on line six (6), after the word "landing," insert "Cainhoyssville." In Section two (2), on line five (5), strike out "two" (2), and insert "four" (4).

A. D. 1874.

"Hamlin's Wharf" struck out and "Cainhoyssville" inserted.

Approved March 17, 1874.

AN ACT TO REDUCE ALL ACTS AND PARTS OF ACTS PROVIDING No. 631.
FOR THE ASSESSMENT AND TAXATION OF PROPERTY INTO ONE
ACT, AND TO AMEND THE SAME.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all real and personal property in this State, and personal property of residents of this State which may be kept or used temporarily out of the State, with the intention of bringing the same into the State, or which has been sent out of the State for sale and not yet sold; all moneys, credits, investments in bonds, stocks, joint stock companies, or otherwise, of parties resident in this State, shall be subject to taxation.

Property taxable.

SEC. 2. Every person shall be liable to pay taxes and assessments on the real estate of which he or she may stand seized for life, by courtesy, in dower, as husband in right of his wife, or may have the care of, as guardian, executor or trustee.

Persons liable to pay taxes.

SEC. 3. All executors, administrators, guardians, trustees, receivers, officers, husbands, fathers, mothers, agents or factors shall be personally liable for the taxes on all personal property which they are required, respectively, to list for taxation by the provisions of this Act, and which was in their possession at the time when the return thereof for taxation shall have been made by themselves or the County Auditors, and may retain in their hands a sufficient amount of the property, or proceeds thereof, to pay such taxes for the entire year; and the County Treasurer may collect such taxes by any and all the means provided by this Act, either of the principal or beneficiary, or of the person so acting as executor, administrator, guardian, trustee, husband, father, mother, agent or factor, receiver or officer.

A. D. 1874.

"Real property" defined

"Personal property."

"Moneys."

"Credits."

"Investments in bonds."

"Investments in stocks."

SEC. 4. The phrase "real property," as used in this Act, shall be held to mean and include not only land, city, town and village lots, but all things therein contained, and all structures and other things so annexed or attached thereto as to pass to the vendee by the conveyance of the land or lot. The phrase "personal property," as used in this Act, shall be held to mean and include all things, other than real estate, which have any pecuniary value, and moneys, credits, investments in bonds, stocks, joint stock companies, or otherwise. The term "moneys" or "money," as used in this Act, shall be held to mean and include gold, silver and other coin, bank bills and other bills or notes, authorized to be circulated as money, whether in possession or on deposit subject to the draft of the depositor or person having the beneficial interest therein on demand. The term "credits," as used in this Act, shall be held to mean the remainder due, or to become due, to a party after deducting from the amount of all legal debts, claims and demands in his favor the amount of all legal debts and demands against him, whether such demands be payable in money, labor or other valuable things. But, in ascertaining such remainder, no deduction shall be made of any obligation to any mutual insurance company, given for insurance, nor of any subscription to the capital stock of any joint stock company, nor of any taxes assessed against the party, nor of any subscription to any religious, scientific, literary or charitable purpose, nor of any acknowledgment of a liability not founded on a legal and valuable consideration, nor any more of any joint liability with others than the party honestly believes he will be compelled to pay, nor any contingent liability, nor of any acknowledgment of debt or liability made for the purpose of diminishing the amount of credit to be returned for taxation. The phrase "investments in bonds," as used in this Act, shall be held to mean all investments of money or means in bonds of whatsoever kind, whether issued by the government of the United States, or of this or any other State or Territory of the United States, or any foreign government, or any County, city, town or other municipality, or by any corporation or company of this or any other State or country. The phrase "investments in stocks," as used in this Act, shall be held to mean and include all investments of money or means in the evidences of indebtedness, other than bonds or bills designed to circulate as money, issued by any government or municipality, and shares of the capital of any corporation, company or association, and every interest in any such shares or portion thereof; also, all interests or shares in ships, boats or other vessels used, or designed to be used, exclusively or partially, in navigating the waters within or bordering on this State, whether such ship, boat or vessel be within the jurisdiction of this State or

not, and whether such vessel be registered or licensed at any Collector's office in this State or not. The word "oath," as used in this Act, shall be held to mean and include an affirmation duly made. The words "person" and "party," and other word or words importing the singular number, as used in this Act, shall be held to include firms, companies, associations and corporations; and all words in the plural number shall apply to single individuals, in all cases in which the spirit and intent of this Act requires it. All words in this Act importing the masculine gender shall apply to females also; and all the words in this Act importing the present tense shall apply to the future also.

A. D. 1874.

"Oath."

"Person and party."

SEC. 5. There shall be assessed on all taxable polls in this State an annual tax of one dollar on each poll, the proceeds of which tax shall be applied solely to educational purposes. Every male between the ages of twenty-one and fifty years, except those incapable of earning a support from being maimed, or from any other cause, shall be deemed taxable polls.

Poll tax.

SEC. 6. The following property shall be exempt from taxation, to wit:

Property exempt from taxation.

1st. All public schools, and the grounds actually occupied by them, not exceeding, in any case, three acres.

Public schools.

2d. All houses used exclusively for public worship, the books and furniture therein, and the ground actually occupied by them, not exceeding, in any case, two acres.

Churches.

3d. All incorporated public colleges, academies and institutions of learning, with the funds provided for their support, and the grounds and the buildings actually occupied by them and not used with a view to pecuniary profit; but this provision shall not extend to leasehold estates held by others under the authority of any college or other institution of learning.

Institutions of learning.

4th. All real and personal property, the rents, issues, incomes and profits of which have been or shall be given to any city, town, village, school district or sub-district in this State exclusively for the endowment or support of public schools therein, so long as such property, or the rents, issues, incomes or profits thereof, shall be used or applied exclusively for the support of free education in said schools, by such city, town, village, district or sub-district.

Endowments

5th. All grave-yards or cemeteries, except such as are held with a view to profit or speculation in the sale thereof.

Cemeteries.

6th. All property owned exclusively by the United States or this State.

U. S. and State property

7th. All buildings owned by Counties and used exclusively as Court Houses, jails or public offices, with the grounds on which

Court buildings.

- A. D. 1874. such buildings are or may be erected, not exceeding ten acres in any County.
- Poor houses, &c. 8th. All lands, houses, fixtures and property owned by any County or city, and used exclusively for the support of the poor.
- Charitable institutions. 9th. All property belonging to institutions of purely public charity, and used exclusively for the maintenance and support of such institutions.
- Fire engines and property appertaining thereto. 10th. All fire engines and other implements used in the extinguishment of fires, with the buildings and grounds used exclusively for the keeping and preservation thereof, when owned by any city, town or village, or any fire company organized therein.
- Public grounds 11th. All public squares or grounds and market houses owned by any city, village or town, and used exclusively for public purposes.
- Public halls. 12th. All city, town and village halls owned and used exclusively for public purposes by any city, town or village.
- Water works 13th. All water works to supply water for the use of a town or city, the machinery and fixtures connected therewith, and the grounds occupied thereby, when owned by any city or town.
- State bonds. 14th. All bonds of this State which, by the terms of the Act under which they are or may be issued, are or may be exempted from taxation.
- U. S. bonds. 15th. All bonds and stocks of the United States which are not authorized by the laws of the United States to be taxed under State authority.
- Rents. 16th. All rents accruing from real estate which shall not become due within two months after the first day of July of the year in which taxes are to be assessed thereon.
- Annuities. 17th. All of any annuity not payable on or before August first of the year for which taxes are to be assessed thereon.
- Pensions. 18th. All pensions payable to any person by the United States, or any State of the United States.
- Shares. 19th. All shares of the capital stock of any company or corporation which is required to list its capital and property for taxation in this State.
- Wearing apparel. 20th. All the wearing apparel of the person required to make return and his family.
- Subsistence. 21st. Articles actually provided for the present subsistence of the person or his family, to the value of one hundred dollars.
- Personal property listed. SEC. 7. Every person, of full age and of sound mind, except married women, shall annually list for taxation the following personal property, to wit :
- In the State. 1st. All the tangible personal property in the State owned or controlled by him.

2d. All the tangible personal property owned by him or other resident of South Carolina, and under his control, which may be temporarily out of the State, but is intended to be brought into the State. A. D. 1874.
Out of the State.

3d. All tangible personal property owned or controlled by him which may have been sent out of the State for sale, and not yet sold; and, Sent out of the State for sale.

4th. All the moneys, credits, investments in bonds, stocks, joint stock companies, or otherwise owned or controlled by him, whether in or out of this State. The property of every ward shall be listed by his guardian; of every minor child, having no other guardian, by the father, if living; if the father be dead, by the mother, if living; if the mother be dead or married, by the person having it in charge; of the wife, by the husband, if living and sane, and the parties are residing together; if the husband be dead, or is insane, or is not living with his wife, by the wife; of every person for whose benefit property is held in trust, by the trustee; of every deceased person, by the executor or administrator; of those whose property or assets are in the hands of receivers, by such receivers; of every firm, company, body politic or corporate, by the President or principal accounting officer, partner or agent thereof; of all persons in the hands or custody of any public officer or appointee of a Court, by such officer or appointee; of those absent or unknown, by their agent or the person having it in charge; of lessees of real property, by such lessees. Moneys, credits, &c.
Who shall list.

SEC. 8. All persons required by law to list property for others shall list it separately from their own, and in the name of the owner thereof; but shall be personally responsible for the taxes thereon for the year in which they list it, and may retain so much thereof, or the proceeds of the sale thereof, in their own hands as will be sufficient to pay such taxes: *Provided*, That all lands shall be listed and assessed as the property of the person or persons having the legal title to, and the right of possession of, the land at the time of listing and assessment, and in case of persons having possession of lands for life in the name of the life tenant: *Provided, further*, That in the case of estates administered, the property shall be listed and assessed as the property of "the estate of" the person deceased; that in case of trusts, the property shall be listed and assessed as the property of the trustee, styled as trustee, committee or guardian, as the case may be; and that in cases of bankruptcy, the property shall be listed and assessed as the property of the bankrupt. And any one who shall knowingly return land in the name of one not having the legal title to, and right of possession of, the land at the time of listing and assess- Property to be listed separately.
Proviso.

A. D. 1874.

ment as provided in this Section, shall be liable in an action of damages in an amount at least equal to the tax assessed, at the suit of the one entitled to the possession of said land, and shall likewise be liable to a fine of not exceeding five hundred dollars, or an imprisonment of not exceeding six months, on indictment in the Court of General Sessions.

Property,
when to be re-
turned and
taxed.

SEC. 9. All horses, neat cattle, mules, asses, sheep, hogs, dogs, wagons, carts and other vehicles used in any business; furniture and supplies used in hotels, restaurants and other houses of public resort; all personal property used in or in connection with store-houses, manufactories, warehouses or other places of business; all personal property on farms; all merchants' and manufacturers' stock and capital, shall be returned for taxation, and taxed in the city, village and town in which it is situated; all bankers' capital and personal assets, pertaining to their banking business, in the city, town and village in which the banking house is located; all shares of stock in incorporated banks located in this State, in the city, town and village where the bank is located; all property of deceased persons shall be returned for taxation at the residence of the executor or administrator, if in the County where administration may be legally granted; but if the executor or administrator reside out of such County, at the County seat of such County, until distribution thereof and payment may be made to the parties entitled thereto; and all other personal property shall be returned for taxation and taxed at the place where the owner thereof shall reside at the time of listing the same, if the owner reside in this State; if not, at the residence of the person having it in charge; and all real estate shall be taxed in the County, city, ward and town where it is located.

Returns of
personal prop-
erty.

Returns,
what to set
forth.

SEC. 10. Every person required by law to list property shall, annually, between the first day of July and the twentieth day of August, make out and deliver to the Auditor of the County in which the property is, by law, to be returned for taxation a statement, verified by his oath, of all the real estate which has been sold or transferred since the last listment of property for which he was responsible, and to whom, and of all the personal property possessed by him or under his control on the first day of July of that year, either as owner, agent, parent, husband, guardian, executor, administrator, trustee, receiver, officer, partner, factor or holder, with the value thereof on said first day of July, at the place of return, estimating according to the rules prescribed by law, which statement shall set forth:

- 1st. The number of horses, and their value.
- 2d. The number of neat cattle, and their value.

A. D. 1874.

- 3d. The number of mules and asses, and their value.
- 4th. The number of sheep, and their value.
- 5th. The number of hogs, and their value.
- 6th. The value of gold and silver plate, and number of gold and silver watches, and their value.
- 7th. The number of piano fortes, melodeons and cabinet organs, and their value.
- 8th. The number of pleasure carriages, and their value.
- 9th. The number and value of dogs.
- 10th. The value of goods, merchandise, moneys and credits pertaining to his business as a merchant.
- 11th. The value of materials received, used, or provided to be used, in his business as a manufacturer.
- 12th. The value of all machinery, engines, tools, fixtures and implements used, or provided to be used, in his business as a manufacturer, and of all manufactured articles on hand one year or more.
- 13th. The value of moneys, including bank bills and circulating notes.
- 14th. The value of all credits.
- 15th. The value of investments in the stocks of any company or corporation out of this State, except National Banks.
- 16th. The value of all investments in bonds, except bonds of the United States and this State expressly exempted from taxation.
- 17th. The value of all other property.

SEC. 11. Any person who shall, at any place in this State, be engaged in the business of buying and selling personal property, or in selling personal property consigned to him from any place out of the State, or property not the product of this State, consigned to him from any place within this State, shall be held to be a merchant, and, at the same time he is required to list his other personal property, shall deliver to the Auditor of the County in which his place of business is situated a statement, under his oath, of the average monthly value of the personal property, moneys and credits pertaining to his mercantile business; to ascertain which, he shall set down the value on hand on the first day of July of the preceding year, or other time of commencing business during the year, add thereto all purchases, when made, at cost, ascertain the average value on hand for the month, deduct the average amount of sales for the month, at cost, and the remainder shall be the average on hand for that month; and, in like manner, ascertain the average value for each month, down to the first day of July of the year in which the return is to be made, add together such monthly values, divide the aggregate by the number of months he has been

Merchants.

Monthly
sale.

A. D. 1874.

in business during the preceding year, as aforesaid, and to the quotient add the moneys and credits on hand the first day of July of the year in which the return is made, and the product of this last addition shall be the sum upon which he shall pay taxes for the year in which the return is made.

Manufacturers.

SEC. 12. Every person engaged in making, fabricating or changing things into new forms for use, or in refining, rectifying or combining different materials for use, shall be held to be a manufacturer, and shall, at the same time he is required to list his other property, make and deliver to the Auditor of the County in which his place of business is situated a statement of the average value, estimated as provided in the preceding Section, of all articles purchased, received or otherwise held for the purpose of being used by him in his business, at any time during the year preceding the first day of July of the year in which the return is made; and he shall also list, at their full value, all machinery, tools, implements, fixtures and engines, used, or purchased for use, in his business, (except such as have been appraised for taxation as part of the realty,) together with all manufactured articles which have been on hand and remained unsold for one year or more prior to the first day of July of the year in which the return is made; also, all the moneys and credits pertaining to said business, on hand on said first day of July: *Provided*, That all materials provided for use in said business shall be estimated as on hand until sold, or remain on hand in a manufactured state for one year.

Manner of making statement.

Valuation.

Proviso.

Turnpike, plank road, telegraph and navigation companies.

SEC. 13. The road bed, right of way, station buildings, toll houses, structures, tools, machinery, poles, wires, fixtures, vessels and real estate, owned and necessarily in daily use by any railroad, turnpike, plank road, bridge, telegraph, canal or slack water navigation company, in the prosecution of its business, shall, for the purposes of this Act, if the company be organized in this State, be held to be personal property, and the President, Secretary, or principal accounting officer thereof, shall include the value thereof in the return of the other personal assets of such company for taxation; which return shall be made in the month of July, or before the twentieth of August, annually, to the several Auditors of the Counties in which such road, canal, bridge, telegraph line or slack water navigation company may be situated, according to the value of such property in each, together with a statement of the amount of such assets situate in each city, town, village or ward in said Counties, respectively; and the value of the movable assets of such company shall be apportioned to each town, city, ward or village, in proportion to the value of the road bed, canal, slack water navigation, bridge or telegraph line in each.

Time for making returns.

Assets.

SEC. 14. The President and Secretary of every railroad company whose track or road bed, or any part thereof, is in this State shall annually, between the first of July and twentieth of August, return to the Comptroller General, under their oaths, the total length thereof in each County, city, town and incorporated village in this State; the total length of their double track in this State, and the length thereof in each County, town, city and incorporated village of this State; the total length of all their side tracks, and the length thereof in each city, County, town and incorporated village in this State; the location and value of all their shops, depots, grounds, station houses, wood and water stations, buildings, stationary engines, tools, implements and fixtures in South Carolina, and all other real estate necessary to the daily running operations of the road; the number and value, each, of all their locomotive engines, passenger, freight, platform, gravel, construction, hand and other cars; the value of their moneys and credits; the total value of the entire road appurtenances and equipments, and the total value of said road in South Carolina, with its appurtenances and equipments.

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Railroads.

President
and Secretary
to make re-
turns to Com-
ptroller General

SEC. 15. The President and Secretary of every railroad company, mentioned in the preceding Section, shall also, annually, between the first of July and the twentieth of August, return to the County Auditor of each County in South Carolina through or into which such road, or any part thereof, may be located a statement of the value of said road, and the property of the company in said County, and in each of the towns, cities and villages of said County, through or into which said road, or part thereof, is located, in the manner and form required by this Act in the return to the Comptroller General.

Returns to
County Audi-
tors.

SEC. 16. In ascertaining the value of the road and property of any railroad company, the value of the right of way, bed and track of the whole road shall be fixed, and such value apportioned *pro rata* to each mile of the main track; and to the value of the number of miles of main track in each town, city and incorporated village of each County in this State through and into which said road is located shall be added the value of the real estate, fixtures, stationary engines, tools, implements, machinery and other stationary property provided for use in the daily operations of the road, situate in said town, city or village; and the total value of the rolling stock, moneys and credits shall be apportioned *pro rata* to each mile of the main track of said road, and the amount thereof, according to the number of miles of main track in each town, city and village in this State, added to the value of the main track in such town, city and village, respectively; and the

Valuations.

A. D. 1874.

aggregate value of said road and property in this State, and in each County, city, town and incorporated village of this State, through or into which said road is located, shall be stated in said return.

Form of re-
turn. SEC. 17. The return and oath, required by this Act, of officers of railroad companies shall be made in such form as shall be prescribed by the Comptroller General.

Receivers to
make returns. SEC. 18. If any railroad, its appurtenances, equipments, &c., shall be in the hands of a receiver or other officer, such receiver or other officer shall make the returns required by this Act.

Comptroller
General, offi-
cial powers. SEC. 19. The Comptroller General, or any person appointed by him for that purpose, may put any question, in writing, he may deem proper, to any officer, agent or receiver of any railroad company having any portion of its track in this State; and he may summon any officer, receiver or agent of such company to appear before him and testify, under oath, (which oath said Comptroller General is authorized to administer,) touching such railroad company's property, and the management and disposition thereof; and he may, by himself, or some person appointed by him, examine the books and papers of such company, in the hands of the company, or any of its officers, agents or receivers; and all such officers, agents and receivers shall answer, under oath, all such questions as shall be put to them, or either of them, by said Comptroller General, or any person appointed by him for that purpose, relative to the condition, amount and value of said company's property, and the management or disposition thereof; and if any such officer, receiver or agent shall refuse or neglect to appear before said Comptroller General, or the person appointed by him, or to answer any question put to him or them, as aforesaid, or submit the books and papers aforesaid for examination, in manner aforesaid, he shall be deemed guilty of a misdemeanor, and, upon indictment and conviction therefor, in the Court of General Sessions for any County, (which Court shall have complete and full jurisdiction in all such cases,) shall be fined in any sum not exceeding five thousand dollars, and costs of prosecution, and confined in the jail of said County until he answers all questions which may be put to him by the Comptroller General, and until said fine and costs be paid.

State Board
of Equaliza-
tion. SEC. 20. The Treasurer of the State, Secretary of State, Comptroller General and Attorney General of the State shall constitute a State Board of Equalization, (a majority of whom shall constitute a quorum for the transaction of business,) who shall meet at the office of the Comptroller General, at the capital, on the second Wednesday of September, annually, or as soon thereafter as the Comptroller

General shall notify said Board that the returns of the several railroad companies have been filed in his office, and equalize the value of the property of railroad companies whose roads are wholly or partially in this State, as returned to the Comptroller General, under the provisions of this Act, by increasing the value of the roads and property of such companies as shall have been, in their judgment, returned at too low a valuation, and diminishing the values of such as may have been returned at too high a valuation. They shall keep a record of their proceedings, which shall be signed by all the members present, and deposited with, and kept by, the Comptroller General; and a majority of the members present shall be competent to decide all questions which may come before said Board.

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Duties.

SEC. 21. The Comptroller General shall certify to the County Auditor of each County in which any railroad, or part thereof, may be located, the valuations of railroad property in said County, as returned to him, with all additions made to, or deductions from, the valuation of the property of any railroad company in said County by the State Board of Equalization; and the County Auditor shall charge the railroad company in the several cities, towns and incorporated villages of their County, for taxation, with the valuations returned by such company or companies, after adding thereto, or deducting therefrom, the amounts directed by the Comptroller General.

Certificates
to County
Auditors by
Comptroller
General.

SEC. 22. If any railroad company, or its officers, shall fail to make the returns to the Comptroller General, and to each County Auditor in each County in which any railroad, or part thereof, may be located, as required by this Act, on or before the 20th day of August, annually, the State Board of Equalization shall proceed to ascertain the value of said company's road and property, according to the principles prescribed in this Act, from the best information they can conveniently obtain, and add thereto fifty per centum as penalty, and apportion the same to the several Counties, towns, cities and incorporated villages, through or into which said road, or any part thereof, may be located; and the Comptroller General shall certify the same to the several County Auditors, who shall place the same on their duplicates for taxation.

Failure of
railroad com-
panies to make
returns.

Penalty.

Comptroller
General to cer-
tify to County
Auditors.

SEC. 23. Any person or persons, company or corporation, engaged in the business of conveying to, from, or through this State, or any part thereof, moneys and other personal property, shall be held to be an express company; and any person or persons, company or corporation, engaged in the business of transmitting messages to, from, or through this State, or any part thereof, shall be held to be a telegraph company; and any such company, having its

Express and
telegraph com-
panies.

A. D. 1874.

Returns to be
made to Comptroller General.

principal office out of this State, shall, annually, in the month of July, or before the twentieth of August, by its principal agent in this State, make out and deliver to the Comptroller General a statement, under oath, showing the value of all its personal property in this State, including poles, wires, batteries, machinery, materials and apparatus, and the Counties, cities, towns and incorporated villages in which the same may be situate, together with the gross earnings of said company in this State, for business done in this State the year ending the first day of that month, and the company's proportion of receipts for business done in connection with the lines of other companies out of this State; and which statement shall show the value of said property and receipts, in each County, town, city and incorporated village in which such company has an agency or agencies, and from which aggregate shall be deducted, by any such telegraph company, the expenses of the office in this State, to which all other agencies of the company in this State are required to make returns, except rents and officers' salaries; and which statement shall also show the aggregate value of the property and receipts aforesaid, after making the deduction aforesaid in each County, city, town and incorporated village in which such company may have an agency or agencies; and said company, by its principal agent, shall, also, between the first of July and twentieth of August, annually, deliver to the Auditor of each County in this State, in whose County such company may have an agency or agencies, a statement of the proportion of the net value of the property and receipts aforesaid, showing the amount thereof in each town, city and incorporated village in which it has any agency or agencies; and said company shall be charged on the duplicate of each of said Counties with taxes on the amount so returned in each town, city and village aforesaid: *Provided*, That ordinary transportation companies, engaged exclusively in the transportation of merchandise over the railroads and canals of this State, in connection with other roads, canals, or lines of navigation, shall not be considered express companies, within the meaning of this Act.

Returns to be
made to County Auditors.

Proviso.

Failure to
make returns.

SEC. 24. If any express or telegraph company shall fail to make and deliver to the Comptroller General the statement required by this Act, on or before the twentieth day of August, annually, such company shall forfeit and pay to the State of South Carolina five hundred dollars, as a penalty, and the Comptroller General shall certify the fact of such failure to the Auditor of any County in this State in which said company may have an office or an agent, and said Auditor shall place the same on the duplicate of said County; and if any express or telegraph company shall fail to make to the Auditor of any County in this State the statement required by this

Act, on or before the twentieth day of August of any year, such County Auditor shall notify the Comptroller General thereof; and if the Comptroller General shall have received from said company the statement required by this Act to be made to him by said company, he shall certify the amount returned as in said County to such County Auditor, and add thereto, as penalty, the sum of ten dollars, which shall be charged to said company on the duplicate of said County, collected and paid over to the State Treasurer in the same manner herein provided as to the penalty for not making the return to the Comptroller General: *Provided*, That if any express or telegraph company shall fail to return the statement required by this Act to the Comptroller General, and the Comptroller General shall certify such failure to any County Auditor, such County Auditor shall proceed to ascertain the gross receipts of each agent of said company in his County, for the year ending the first day of July of that year, together with the value of all other property of the company in his County, add fifty per cent. thereto as penalty, and charge the company with taxes thereon, at the several localities required by this Act, without any deduction for expenses paid out by the company. And if any such company shall have no principal office or agency in this State to which the other agents in the State are required to make return, each agent thereof in any County shall make return in the month of July, or before the twentieth of August, annually, of the gross receipts of his agency, for the year ending the first day of that month, with the value of all other property of the company in the city, village or town in which his agency is situate, and the County Auditor shall charge the company with taxes thereon, at the same rates as other property in the same localities; and if such agent or agents refuse or neglect to make such return, the County Auditor shall ascertain the amount of such gross receipts and value of property, add fifty per cent. thereto as penalty, and charge such company with taxes thereon, at the same rates charged other property at the several localities where such property may be situate and such agencies located.

SEC. 25. All returns required by this Act to be made by express and telegraph companies, having their principal offices out of this State, shall be made in such form as the Comptroller General shall prescribe; and the Comptroller General is authorized to require answers, under oath, to any questions he may put to the principal, or any other agent, of any of said companies in this State, and to examine any of such agents, under oath, relative to the property and affairs of such companies, and the management thereof, which oath he may administer; and, if any such agent shall refuse to submit to such examination, or refuse or neglect to answer any such ques-

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Penalty.

Proviso.

Form of returns.

Comptroller General to require answers to be made under oath.

A. D. 1874.

Contempts.

tions, he shall be deemed guilty of contempt of the Comptroller General, and the Comptroller General may certify the fact to the Court of General Sessions of any County in this State, which shall issue a warrant for the arrest of such agent, in the name of the State of South Carolina, directed to the Sheriff of such County, who shall arrest such agent anywhere in this State, and take him before said Court of General Sessions, and, upon hearing and conviction, such agent shall be fined by said Court in any sum not exceeding five hundred dollars and costs, and be confined in the jail of the County where tried until such fine shall be paid, and answers be given to all such questions as the Comptroller General may propound to him.

Penalty.

Insurance agents to make returns.

SEC. 26. Each agent in this State of any insurance company organized under the laws of any other State or country, and doing business in this State, shall, annually, in the month of July, or before twentieth of August, return to the Auditor of the County in which such agency is located a sworn statement of the gross receipts of such agency for the year ending on the first day of that month, including all notes, accounts and other things received or agreed upon as a compensation for insurance at such agency, together with all the value of any personal property of said company situate at such agency; and the company shall be charged with taxes, at the place of said agency, on the amount so returned; and the agent shall also be personally responsible for such taxes, and may retain in his hands a sufficient amount of the company's assets to pay the same, unless the same shall be paid by the company.

Responsibility of agents.

Returns—where to be made.

SEC. 27. Every insurance company, organized under the laws of this State, shall return all its personal property, moneys, credits, (including notes taken on subscription of stock,) investments in bonds, stocks, securities and assets of every kind, for taxation, at the place where its principal office is located.

Corporations owning property outside the State.

SEC. 28. Any company or corporation, organized under the laws of this State, and owning property in any other State or country, as well as in this State, shall not be required to return its capital for taxation in this State, but shall return such property as it owns in this State, and such proportion of the value of its other property as, if owned by the individual residents of this State, would be taxable in this State; and if such return be made by such company, the shareholders therein shall not be required to return their shares for taxation.

SEC. 29. A corporation organized under the laws of this State, but owning no property in this State, shall not be required to return its capital for taxation in this State.

SEC. 30. All companies and corporations, whether organized under

the laws of this State or not, the manner of listing whose personal property is not otherwise specifically provided for by law, shall list for taxation all their personal and real property and effects at the same time, in the same manner, and in the same localities as individuals are required to list similar property and effects for taxation.

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Companies, whether organized under laws of this State or not, liable to taxation.

SEC. 31. Any company incorporated under a joint charter granted by this and some other State or States, and the manner of taxing which, or the amount upon which it shall be taxed, or the specific proportion of its capital or property upon which taxes shall be assessed in South Carolina is prescribed or fixed in its charter, shall be assessed for taxation and taxed as prescribed in this charter until otherwise legally provided.

Companies organized under joint charters.

SEC. 32. All shares of the stockholders in any bank or banking association, located in this State, whether now or hereafter incorporated or organized under the laws of this State or of the United States, shall be listed at their true value in money, and taxed in the city, ward, town or incorporated village where such bank is located, and not elsewhere: *Provided*, That the words "true value in money," as used in line four of this Section, shall be so construed as to mean and include all surplus or extra moneys, capital, and every species of personal property of value owned or in the possession of any such bank.

Bank stocks.

Proviso.

SEC. 33. The real estate of any such bank or banking association shall be taxed in the place where the same may be located, the same as the real estate of individuals.

Real estate of banks.

SEC. 34. There shall, at all times, be kept in the office where the business of such bank or banking association is transacted, a full and correct list of the names and residences of the stockholders therein, and the number of shares held by each; also a list of all persons, parties, corporations or agents who may at any time have any deposit, either personal or general, in such bank, which shall be at all times, during business hours, open to the inspection of all State and County officers who are, or may be, authorized to list or assess the value of such shares for taxation.

Banks to keep lists of stockholders.

SEC. 35. It shall be the duty of the President and Cashier of every such bank or banking association, between the first of July and twentieth of August, annually, to make out and return, under oath, to the Auditor of the County in which such bank or banking association may be located, a full statement of the names and residences of the stockholders therein, with the number of shares held by each, and the actual value, in money, of such shares, together with a description of the real estate owned by said bank.

Duties of officers.

SEC. 36. The Auditor of the County in which any such bank or

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Duties of
County Audi-
tors.

banking association may be located, upon receiving the return provided for in the thirty-fifth Section of this Act, shall deduct from the actual total value of the shares in any such bank or banking association the appraised value of the real estate owned by such bank or banking association, as the same stands assessed on the duplicate, and the remainder of the total value of such shares shall be entered on the duplicate of the County, in the names of the owners thereof, in amounts proportioned to the number of shares owned by each, as returned on said sworn statement, and be charged with taxes at the same rate as charged upon the value of other personal property, at the place where such bank or banking association is located.

Assessments
to remain as
liens until
taxes are paid.

SEC. 37. Any taxes assessed on any such shares of stock, or the value thereof, in manner aforesaid, shall be and remain a lien on such shares from the first day of July, in each year, until such taxes are paid; and, in case of the non-payment of such taxes, at the time required by law, by any shareholder, and after notice received of the County Treasurer of the non-payment of such taxes, it shall be unlawful for the Cashier or other officer of such bank or banking association to transfer, or permit to be transferred, the whole or any portion of said stock, until the delinquent taxes thereon, together with the costs and penalties, shall have been paid in full; and no dividend shall be paid on any stock so delinquent so long as such taxes, penalties and costs, or any part thereof, remain due or unpaid.

Banks may
pay taxes on
shares.

SEC. 38. It shall be lawful for any such bank or banking association to pay to the Treasurer of the County in which such bank or banking association may be located the taxes that may be assessed upon its shares, as aforesaid, in the hands of its shareholders, respectively, and deduct the same from any dividends that may be due, or may thereafter become due, on any such shares, or deduct the same from any funds in its possession belonging to any shareholder, as aforesaid.

Examination
of books and
officers.

SEC. 39. If any bank or banking association shall fail to make out and furnish to the County Auditor the statement required by the 35th Section of this Act, within the time required herein, it shall be the duty of said Auditor to examine the books of said bank or banking association, also to examine any officer or agent thereof, under oath, together with such other persons as he may deem proper, and make out the statement required by said 35th Section, and enter the value of said shares on the duplicate for taxation. Any bank officer failing to make out and furnish to the County Auditor the statement, or willfully making a false statement, as required in this Act, shall be liable to a fine not exceeding one thousand dollars, together with all costs and other expenses

Penalty for
failure to make
return.

incurred by the Auditor, or other proper officer, in obtaining such statement aforesaid.

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SEC. 40. All unincorporated banks and bankers shall, annually, between the first of July and thirtieth of August, make out and return to the Auditor of the proper County, under oath of the owner or principal officer or manager thereof, a statement, setting forth :

Returns of unincorporated banks.

1st. The average amount of notes and bills receivable, discounted or purchased in the course of business by such unincorporated bank, banker or bankers, and considered good and collectable.

Form of statement.

2d. The average amount of accounts receivable.

3d. The average amount of cash items in possession or in transit.

4th. The average amount of all kinds of stocks, bonds or evidences of indebtedness held as investment, or in any way representing assets.

5th. The average amount of real estate, at its assessed value for taxation.

6th. The average amount of all deposits made with them by other parties.

7th. The average amount of accounts payable, exclusive of current deposit accounts.

8th. The average amount of Government and other securities, specifying the kind that are exempt from taxation.

9th. The amount of capital paid in, or employed in such banking business, together with the number of shares or proportional interest each shareholder or partner has in such association or partnership.

From the aggregate sum of the first five items above enumerated, the said Auditor shall deduct the aggregate sum of the fifth, sixth, seventh and eighth items, and the remainder thus obtained shall be entered on the duplicate of the County in the name of such bank, banker or bankers, and taxes thereon shall be assessed and paid, the same as is provided for other property as assessed and taxed in the same city, ward, town or incorporated village.

Duties of Auditor.

SEC. 41. The average provided for in the preceding Section shall be obtained by adding together the amounts of each item above specified, owned by or standing on the books of such bank, banker or bankers, on the first day of each month of the year ending the last day of June in the year in which the return is made, and dividing the same by the number of months in the year: *Provided*, That in cases where such bank, banker or bankers commenced business during the preceding year, the division shall be made by the number of months elapsed after the commencement

Manner of obtaining averages.

Provisos.

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of such business: *Provided*, That all fractions of a month shall be counted as a month.

Unincorporated companies.

SEC. 42. Every company, association or person not incorporated under any law of this State, or of the United States, for banking purposes, who shall keep an office or other place of business, and engage in the business of lending money, receiving money on deposit, buying and selling bullion, bills of exchange, notes, bonds, stocks or other evidences of indebtedness, with a view to profit, shall be deemed a bank, banker or bankers, within the meaning of the provisions of this Act.

Power of County Auditors to enforce returns.

SEC. 43. The County Auditor shall have the same powers to enforce correct returns from bank officers and bankers, to examine witnesses and enforce their attendance, and have the same aid of the Court of General Sessions of the County, as is provided by law in cases where individuals fail to list their property for taxation, or are suspected of having made false returns; and in all cases of failure to make returns under this Act, or in a case of false return, by any unincorporated bank, banker or bankers, the Auditor shall ascertain the true amount, as near as may be, add fifty per cent. penalty thereto, and charge the party or parties with the taxes on the amount so ascertained by him, with the penalty aforesaid; but in cases of unintentional mistake in making the return, the true amount only shall be charged against the parties, without penalty.

Penalty for making false returns.

Pawnbrokers to make returns.

SEC. 44. Every pawnbroker, person, or company, engaged in the business of receiving property on pledge, or as security for money or other thing advanced to the pawner or pledger, shall, annually, in the month of July, or before the thirtieth of August, return, under oath, to the Auditor of the County in which his place of business is located, the average monthly value of all property pawned or pledged to him during the year ending July first of the year in which the return shall be made, or, if engaged in the business for less than a year prior to said first day of July, then for such shorter period; and such average shall be ascertained by the rule prescribed in this Act for ascertaining the average value of the property of merchants, and taxes charged on such average value as upon other property at the same place.

Persons claiming to be non-property holders required to make oath.

SEC. 45. Any person claiming not to have any property shall, upon the demand of the Auditor, make oath to the fact that he has no property; and if he refuse to make such oath, he shall be deemed guilty of contempt of the Auditor, and, upon complaint of such Auditor to the Court of General Sessions of the County, shall be arrested and confined in the jail of the County until he answers such questions, under oath, as may be propounded to him by such Auditor, and pay the costs of the proceeding.

SEC. 46. The proceeds of mines and mining claims shall be assessed and subject to taxation.

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SEC. 47. The Comptroller General shall prescribe the forms of all returns of taxation, and of the oaths that shall be made thereto, and transmit the same to the several County Auditors; and any return made in any way varying therefrom shall not be regarded as a return.

Mines.

Comptroller General to prescribe forms of returns.

SEC. 48. If any person shall refuse or neglect to make out and deliver to the Auditor a statement of personal property, as provided by this Act, or shall refuse or neglect to make and subscribe an oath as to the truth of such statement, or any part thereof, or in case of the sickness or absence of such person, the Auditor shall proceed to ascertain, as near as may be, and make up and return a statement of the personal property, and the value thereof, with which such person shall be charged for taxation, according to the provisions of this Act; and to enable such Auditor to make up such statement, he is authorized to examine any person or persons, under oath, and to ascertain, from general reputation and his own knowledge of facts, the character and value of the personal property of the person thus absent or sick, or refusing or neglecting to list or swear; and said Auditor shall return the lists so made up by him, endorsed "Refused to List," or "Refused to Swear," or "Absent," or "Sick," as the case may be, and in his return, in tabular form, shall write the same words opposite the names of each of the persons so refusing or neglecting to list or swear, or absent, or sick.

Failure to make returns.

Duties of Auditors.

SEC. 49. If any person shall fail to list the personal property he is required by law to list in any one year, and the same escapes taxation for that year, the value thereof shall be charged against him for taxation in any subsequent year, with fifty per cent. penalty added thereto, and the taxes and penalty collected as in other cases.

Penalty for failure to list.

SEC. 50. All real and personal property shall be valued for taxation at its true value in money, which, in all cases not otherwise specially provided for in this Act, shall be held to be the usual selling price of similar property at the place where the return is to be made; and if there be no usual selling price, then at what is honestly believed could be obtained for the same, at a fair sale, at the place aforesaid; but each parcel of real property shall be separately appraised, without reference to the value of any growing crops thereon.

Mode of ascertaining valuations.

SEC. 51. The following articles of personal property shall be valued for taxation as follows, to wit: Money, bank bills, and other bills lawfully circulating as money, at the par value thereof; credits, at the amount payable on the face of the contract, instru-

Personal property taxable.

A. D. 1874.

ment or account, unless the principal be payable at a future time without interest; then, at the sum payable, less the lawful interest thereon, for any term of credit not exceeding one year; contracts for the delivery of specific articles, at the usual selling price of such articles at the time of listing; leasehold estates held for any definite term, at the yearly value thereof to the lessee; annuities, at the yearly value thereof to the owner at the time of listing. All leasehold estates, held on perpetual lease, or for a term certain, renewable forever at the option of the lessee, shall be valued at the full price of the land, and continue to be taxed at such value to the end of the term. When the fee of the soil in any tract or lot of land is in one person, and right to any minerals therein or structures thereon in another, the proceeds of the minerals and said structures shall be valued and taxed as personal property, to the owners thereof respectively.

County Auditors to make list of names of tax-payers.

SEC. 52. Each Auditor shall, on or before the twentieth day of September, annually, make out, in tabular form and alphabetical order, a list of the names of the several persons, companies and corporations in whose names any personal or real property shall have been listed, giving the first Christian name of the several persons; and he shall enter separately, in appropriate columns, opposite each name, the aggregate value of the several species of property mentioned in this Act, making separate lists of the property listed as taxable in incorporated villages, cities and wards, and that listed as taxable out of cities, wards and incorporated villages, all of which columns shall be accurately added up and footed; and, at the same time, file and preserve in his office statements of property listed by him, or received by him from others.

County Auditors' duties.

SEC. 53. Each Auditor shall, annually, at the time of taking the list of personal property, also take a list of all real property in the County subject to taxation, which shall not have been previously listed; and of all new structures, of the value of one hundred dollars or more, not previously listed; and of all old structures, of the value of one hundred dollars or more, which were destroyed during the previous year, and affix a value thereto, with a description of the land or lot on which the same was or is situate, endorse his affidavit thereon that the same is correct, that the valuations therein stated have been made according to the rules prescribed by this Act, and return the same with the names of the owners, respectively; and if the owner of any such new structure shall be the owner of the land on which it is situate, or of a permanent leasehold estate therein, the County Auditor shall add to, or deduct from, the value of the land or lease, as the case

may be, as the same may stand on the duplicate, the value of such structure so returned: *Provided*, That the Auditor shall not deduct any greater amount for the destruction of any structure than was previously charged for the same on the duplicate.

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SEC. 54. It shall be the duty of each Auditor to state, in the column of remarks, opposite each tax-payer's name, in the return made by him, any amount which he believes ought to be added to the valuation of the property listed by such tax-payer, his agent or other person, of which written notice shall be given by the Auditor to such person at least fifteen days before the meeting of the Board of Equalization. It shall also be his duty, at any time after his return, if he ascertain that any personal property in his County has not been listed, to list the same, and make return thereof, with the valuation thereof as fixed by the owner or himself, and the name of the owner or person to whom it is taxable, and the Auditor shall charge the same on the duplicate for taxation, adding fifty per. cent. to the value, as returned, as penalty.

Auditors may add to value, and notify tax-payers of same.

SEC. 55. Any person, company or corporation, commencing any business in any County of this State after the first day of July, in any year, the capital or personal property employed in which shall not have been previously listed for taxation in said County for such year, shall, within thirty days after commencing such business, report to the Auditor of the County, under oath, the average amount of the capital intended to be employed in such business, from the time of its commencement to the first day of July next ensuing; and upon making satisfactory proof to said Auditor that such capital or property has been regularly listed for taxation in some other County in this State, said Auditor shall file report and proofs in his office, and give to the party a certificate that he or they have complied with the provisions of this Section, and are not liable to taxation in his County on such capital or property for the then current fiscal year. But if he or they shall not satisfactorily prove that such capital or property has been previously listed for taxation in some County of this State, said County Auditor shall charge him or them on his duplicate with such proportion of all taxes levied on others upon similar capital or property, at the place of the business, as the time from the commencement of the business to the ensuing first day of July bears to one year.

Persons commencing business shall report to County Auditors.

SEC. 56. It shall be the duty of each County Auditor to ascertain the names of all persons commencing any business in his County after the first day of July, annually, whose capital or property employed in such business was not listed for taxation in his County for the then current fiscal year.

Auditors to ascertain the names of persons commencing business after 1st July, annually.

A. D. 1874.

Penalty for failure to report commencement of business to Auditor.

SEC. 57. If any person, company or corporation shall commence any business in any County of this State after the first day of July, in any year, the capital or property employed in which shall not have been previously listed for taxation in said County, and shall not, within thirty days thereafter, make such report to the Auditor of said County as is required in the fifty-fifth Section of this Act, he or they shall forfeit and pay the sum of one hundred dollars, which shall be collected, by civil action, in the name of the County Commissioners, and paid into the County treasury for the exclusive benefit of the County. And process in such case may issue out of the Court of Common Pleas of the County in which such business was commenced, directed to the proper officer, and be served in any County of this State.

Auditors to make brief descriptions of each tract of real property in their respective Counties.

SEC. 58. It shall be the duty of each County Auditor to make out, from the maps and descriptions in his possession, and from such other sources of information as shall be in his power, a correct and pertinent description of each tract and lot of real property in his County; and, when he shall deem it necessary to obtain an accurate description of any separate tract or lot in his district, he may require the owner or occupier thereof to furnish the same with any title papers he may have in his possession; and if such owner or occupier, upon demand made for the same, shall neglect or refuse to furnish a satisfactory description of such parcel of real property to such Auditor, he may employ a competent surveyor to make out a description of the boundaries and location thereof, and a statement of the quantity of land therein; and to the expense of such survey the Auditor of the County shall add the tax assessed upon such real property, and it shall be collected by the Treasurer of the County with such tax, and, when collected, shall be paid, on demand, to the person to whom the same is due.

Auditors may enter buildings for purpose of making valuations.

SEC. 59. For the purpose of enabling the Auditor to determine the value of buildings and other improvements, he is hereby authorized to enter and fully to examine all buildings and structures, of whatever kind, except dwellings, which are not by law expressly exempted from taxation.

Auditor to make list of property exempt from taxation.

SEC. 60. The Auditor, at the time of making the assessments of other real estate for taxation, shall enter in a separate list pertinent descriptions of the real estate exempt from taxation by law, with the valuation thereof made by himself, determined by the rules prescribed by law, and designating the owner of each several parcel: *Provided*, If the name of the owner of any tract or lot shall be unknown, the word "unknown" shall be entered in the column of names opposite said tract or lot.

SEC. 61. The Judges of the Circuit Courts of this State shall, on

or before the first day of July next, and every fifth year thereafter, appoint three intelligent tax-paying citizens in each of the Counties of their respective Circuits, who, with the County Auditor and County Treasurer, shall form a County Board, for the equalization of the property of their respective Counties, with the exception of the real property in the city of Charleston, which shall be equalized by a Special Board, as is herein provided, and such Board shall organize by the election of a Chairman, and any two of them shall constitute a quorum for the transaction of business, and the County Auditor shall be the Clerk thereof. Such Board shall meet as often as the Chairman, or a majority thereof, shall direct, at the Auditor's office in the several Counties, when the County Auditor shall lay before them the returns of the real property made by him, with the addition he shall have made thereto, and having each taken an oath before some officer duly qualified to administer the same, fairly and impartially to equalize the value of the real estate of such County, according to the provisions of this Act, they shall immediately proceed to equalize such valuation, so that each tract shall be entered on the tax list at its true value. They shall hear all grievances, and any person whose property has been assessed above its true value, not only in assessments already made, but in those hereafter to be made, who cannot secure relief from said Board, shall have the right to appeal to the Comptroller General of the State, to whom shall be forwarded all the testimony relative to such alleged grievance, and the said Board shall receive such compensation for their services, out of the County Treasury, as the Circuit Judge shall direct, not exceeding three dollars (\$3) *per diem* for the time actually employed thereon, and for the purpose of performing the duties herein required shall observe the following rules:

A. D. 1874.

County Board
of Equaliza-
tion.Duties of
Board.Compensa-
tion.Further du-
ties of Board.

1st. They shall raise the valuation of such tracts and lots of real or personal property as, in their opinion, have been returned below their true value to such price or sum as they may believe to be the true value thereof, and due notice shall be given to the owner or agent of such property.

2d. They shall reduce the valuation of such tracts and lots or personal property as, in their opinion, have been returned above their true value, as compared with the average valuation of the real property of such County, having due regard to the relative situation, quantity of soil, improvement, natural and artificial advantages possessed by each tract or lot of real property.

3d. They shall not reduce the aggregate value of real and personal property of the County below the aggregate value thereof, as returned by the County Auditor, with the addition made thereto by said

A. D. 1874.

Special Board
of Equaliza-
tion for City of
Charleston.

Auditor, as hereinbefore required. The County Auditor shall keep an accurate journal or record of the proceedings and orders of said Board.

SEC. 62. There shall be a Special Board for the equalization of the real and personal property, moneys and credits in the city of Charleston, to be composed of the County Auditor and six citizens of said city, to be appointed by the City Council of said city, which Board shall meet annually, at the Auditor's office of said County, on the first Monday in September, and shall have power to equalize the value of the real estate and personal property, moneys and credits within said city, and shall be governed by the rules, provisions and limitations prescribed for the government of annual County Boards for the equalization of real and personal property, moneys and credits; but said Board shall not continue its sessions more than two weeks in one year. The County Auditor shall add to, or deduct from, the value of the real estate or personal property such per centum, in villages, towns, wards, blocks or other districts, as may be ordered by the Board of Equalization of the city or County, as the case may be, on the duplicate, distributing the same *pro rata* to each owner, and shall add to, or deduct from, the valuation of the real or personal property of individuals, companies or corporations such sum or sums as may be ordered by either of said Boards.

County Au-
ditors to trans-
mit to Compt-
roller General
abstract of the
real property
in their respec-
tive Counties.

SEC. 63. Each County Auditor shall, on or before the thirtieth of September, one thousand eight hundred and seventy-one, and on the same day in each year thereafter, make out and transmit to the Comptroller General and the County Commissioners an abstract of the real property of each district in his County, in which he shall set forth:

1. The number of acres, exclusive of town lots, returned by said Auditor, with such additions as shall have been made thereto.

2. The aggregate value of such real property, other than town lots, as returned by said Auditor, inclusive of such additions as shall have been made thereto, under the provisions of this Act.

3. The aggregate value of the real property in each town, city and village in his County, as returned by said Auditor, as shall have been made thereto.

State Board
of Equaliza-
tion.

SEC. 64. The State Board of Equalization shall consist of one member from each Congressional District of the State, all of whom shall have the qualification of electors; and the qualified electors of each Congressional District shall, at the general election in the year one thousand eight hundred and seventy-four, and on the same day in every fourth year thereafter, elect persons to serve as members of such Board of Equalization, in accordance with the provisions of this Section; and the returns of the poll books

How elected.

and certificates of election shall be governed by the law regulating the election of Representatives to Congress; and in case of vacancy in such office, either by death, resignation or otherwise, the Governor of the State shall have the power to appoint a person, who shall be a resident elector of the district so vacated, to fill such vacancy, as soon as he shall be informed thereof. The Governor, Secretary and Comptroller General shall, by virtue of their offices, be members of this Board. The said Board shall meet at Columbia on or before the fifth of October, one thousand eight hundred and seventy-four, and on the same day in every fourth year thereafter, and the members thereof shall each take an oath or affirmation that he will, to the best of his knowledge and ability, so far as the duty devolves on him, equalize the valuation of real property among the several Counties, towns, cities and villages in the State, according to the rules prescribed by this Act for valuing and equalizing the value of real property; and, having received from the Comptroller General the abstracts of real property transmitted to him by the several County Auditors, said Board shall proceed to equalize the same among the several towns, cities, villages and Counties in the State, in the manner hereinafter prescribed:

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Governor to fill vacancies.

Duties of Board.

1st. They shall add to the aggregate value of the real property of every County which they shall believe to be valued below its true value in money such per centum, in each case, as will raise the same to its true value in money.

Board may add to value.

2d. They shall deduct from the aggregate valuation of the real property of every County which they shall believe to be valued above its true value in money such per centum, in each case, as will reduce the same to its true value in money.

Value may be reduced.

3d. If they believe that right and justice require the valuation of the real property of any town, city or village in any County, or of the real property of such County not in towns, cities or villages, to be raised or to be reduced, without raising or reducing the other real property of such County, or without raising or reducing it in the same ratio, they may, in every such case, add to or take from the valuation of any one or more of such towns, cities or villages, or of property not in towns, cities or villages, such per centum as they believe will raise or reduce the same to its true value in money.

Discretionary powers of Board.

4th. Said Board shall keep a full account of their proceedings and orders.

SEC. 65. When the State Board of Equalization shall have completed their equalization of real property among the several Counties, the Comptroller General shall transmit to each County Auditor a statement of the per centum to be added to, or deducted from, the

Comptroller General to transmit statement to County Auditors.

A. D. 1874.

valuation of the real property of his County, specifying the per centum added to, or deducted from, the valuation of the real property in each of the several towns, villages and cities, and of real property not in towns, villages or cities, in case an equal per centum shall not have been added to, or deducted from, each; and the County Auditor shall forthwith proceed to add to, or deduct from, each tract or lot in his County the required per centum on the valuation thereof as it stands, after having been equalized by the County Board of Equalization, adding any fraction over fifty cents, and deducting any fraction less than fifty cents, so that the valuation of any tract or lot shall not contain any fraction of a dollar, and charge the same, with taxes, upon such equalized value. The Comptroller General shall, also, on or before October fifteenth, annually, give notice to each County Auditor of the rates per centum authorized by law to be levied for the various State purposes, which rates, or per centum, shall be levied by the County Auditor on the taxable property of the County, and charged on the duplicate with the taxes required to be levied and collected for other purposes.

Comptroller General to prepare forms for and give instructions to County Auditors.

SEC. 66. The Comptroller General shall, from time to time, prepare and transmit to the several County Auditors all such forms and instructions as he may deem necessary to carry into effect the provisions of this Act, and decide all questions which may arise as to the true construction of the same, or in relation to the duty of any officer under the same; and the forms thus transmitted shall be observed and used by all County, town and municipal officers. The instruction thus given shall be obeyed by, and the decisions thus made shall be binding upon, all County, town and municipal officers.

County Auditors shall make schedule of taxable property.

SEC. 67. Each County Auditor shall make out, in a book to be prepared for that purpose, in such manner as the Comptroller General shall prescribe, a complete list or schedule of all taxable property in his County, and the value thereof, as equalized, so arranged as that each separate parcel of real property in each district, other than city, village and town property, shall be contained in a line or lines opposite the names of the owners, arranged in numerical or alphabetical order, and so that each lot or parcel of real property in cities, villages and towns shall be contained in a line or lines opposite the names of the owners thereof respectively, arranged in alphabetical order. And the value of all personal property shall be set down opposite the names of the owners thereof, respectively; and, if listed by any person other than the owner, for and in the name of the owner, the name of such person, and the character in which he acted, shall also be stated in such list, which list or schedule, made out as aforesaid, shall be retained in the County Audi-

tor's office, and another made for the County Treasurer, and delivered to him on or before the fifteenth day of November, annually, as his warrant for the collection of the taxes, assessments and penalties charged thereon, each and both of which lists shall be denominated the County duplicate.

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Schedule to be delivered to County Treasurer.

SEC. 68. Each County Auditor, after receiving from the Comptroller General, and from such other officers and authorities as shall be legally empowered to determine the rate or amount of taxes to be levied for the various purposes authorized by law, statements of the rates and sums to be levied for the current year, shall forthwith proceed to determine the sums to be levied upon each tract and lot of real property, and upon the amount of personal property, moneys and credits listed in his County, in the name of each person, company or corporation, which shall be assessed equally on all real and personal property subject to such taxes, and set down in one or more columns, in such manner and form as the Comptroller General shall prescribe; and in all cases where the whole amount of taxes upon the personal property, moneys and credits of any person shall not amount to ten cents, the Auditor shall not enter the same upon the duplicate, if such person has no other taxable property.

County Auditors to determine the sums to be levied upon each lot of real property.

SEC. 69. The County Auditors shall not be required to assess on the taxable property of their Counties, or of any town, city or incorporated village, or school district therein, for any purpose, nor for all purposes added together, any rate of taxation containing or resulting in any fraction other than a decimal fraction, nor in any fraction less than one-half of a mill; but if the sum required to be raised for any or all purposes results in a fraction less than one-half of a mill, such fraction shall be dropped.

Fractional assessments.

SEC. 70. The County Auditor shall enter the taxes on the duplicate, to be retained in his own office, in such number of columns as the Comptroller General shall, from time to time, direct; but on the duplicate for the County Treasurer he shall enter the taxes against each parcel of real and personal property, on one or more lines, opposite the name of the owner or owners; and, in all other respects, the Comptroller General may prescribe forms for County duplicates, as may seem to him most conducive to the interest and convenience of the public, and County Auditors shall conform thereto.

Taxes to be entered on duplicate.

SEC. 71. If the County Auditor shall, at any time, discover that any real estate or new structure, duly returned and appraised for taxation, has been omitted from the duplicate, he shall immediately charge the same on the duplicate, with the taxes of the current year, and the simple taxes of each preceding year the same may

County Auditors may correct omissions.

A. D. 1874.

have escaped taxation. And if the owner of any real estate or new structure thereon, subject to taxation, has not reported the same for taxation, according to the requirements of this Act, and the same has not been appraised for taxation, the Auditor shall, upon discovery thereof, appraise the same, and, upon making return of such appraisement, shall charge the same upon the duplicate, with the taxes of the then current year, and the taxes of each preceding year it may have escaped taxation, with twenty per cent. penalty upon such taxes of preceding years. And if any real estate shall have been omitted in any return, the Auditor of the County shall appraise the same immediately for taxation, file such appraisement in his office, and charge the same with the taxes of the current year and the simple taxes of the preceding years it may have escaped taxation.

Examination
of persons making
false returns.

SEC. 72. If the County Auditor shall suspect or be informed that any person or persons, corporation or company, has evaded making a return, or made a false return, of his, her or their personal property for taxation, or have or has not made a full return, or that the valuation returned is less than it should have been, according to the rules prescribed by this Act, it shall be his duty, at any time before the settlement with the Treasurer for the year, to notify such party to appear before him at his office, at a time fixed in said notice, together with such other person or persons as said Auditor may desire to examine, and the party, together with any witness called, shall be examined by said Auditor, under oath, (which oath said Auditor is authorized to administer,) touching the personal property, and the value thereof, of such party, and everything which may tend to evince the true amount such party should have returned for taxation.

Contumacious
witnesses:

SEC. 73. If any person notified, either as a party or witness, to appear before the County Auditor, as provided for in the preceding Section, shall refuse or neglect to appear before the County Auditor at the time stated in said notice, or shall refuse to be sworn, or refuse to answer any question put to him by said Auditor, touching the matter under examination as aforesaid, he shall be deemed guilty of contempt of said Auditor, and said Auditor shall make complaint thereof to the Court of General Sessions of the County, who shall thereupon issue an attachment against the person complained of, in the name of the State of South Carolina, directed to the Sheriff of the County, who shall arrest such party anywhere he may be found in the State of South Carolina, and take him personally before said Court, and, upon conviction thereof, such party shall be fined for such contempt of the County Auditor, by said Court, in any sum not exceeding one hundred dollars and costs of prosecution.

Punishment.

tion, and be confined in the County jail of said County until answers shall be made to all questions which may be propounded to him by said County Auditor, and such fine and costs paid; and when such fine is collected, it shall be paid into the County treasury to the credit of the County.

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SEC. 74. The County Auditor, when he shall deem it necessary, may adjourn the examination provided for in the preceding Section, from time to time; and if he shall find that the party had failed to make any return for taxation, or intentionally made a false return, or intentionally returned his or their property for taxation at less than its fair cash value, he shall determine what amount should have been returned by the party, and add fifty per cent. thereto as penalty, and charge the same, with said penalty, against the party on the duplicate, with the taxes of the current year; but if he shall find the party committed a merely unintentional mistake in any return made, he shall add such amount as he may deem just to such return, and charge the party with the simple taxes thereon.

Adjournment
of examina-
tions.

False returns.

Penalty.

SEC. 75. If, upon the examination provided for in the seventy-second Section of this Act, the return made to or by the Auditor shall be found to be correct, the expenses of the examination shall be paid by the County Auditor out of the County treasury; but if it shall be found that the return, as made, was intentionally false, or that no return was made, the Auditor shall pay the expenses of the examination out of the County treasury, and charge the same to the party on the duplicate, in addition to the penalty provided for such cases; and the amount collected, with the taxes of the party, to reimburse the treasury of the County for the expenses paid as aforesaid. But if the return made was unintentionally erroneous, said Auditor shall pay the witnesses' fees and costs of serving the notice out of the County treasury, charge the same on duplicate to the party, and the same shall be collected and paid into the County treasury, as aforesaid.

Expense of
examination.

SEC. 76. The expenses to be allowed upon the examination provided for by the seventy-second Section of this Act shall be, for serving the notice or notices, the fees allowed to Sheriffs and Constables for serving a summons, and to witnesses, the same fees allowed to witnesses in suits before a Trial Justice's Court.

Fees allowed.

SEC. 77. Each County Auditor shall add to the value of all personal property which the owner or other person whose duty it is made, by this Act, to list the same shall have refused or neglected to list, or to the value of which such person shall have refused or neglected to swear, fifty per centum on the value, and charge the same on the duplicate upon which taxes shall be collected and ap-

Penalty for
neglecting or
refusing to list
property.

A. D. 1874.

portioned to the several funds for which taxes are assessed against such owner *pro rata* in proportion to the respective levies.

SEC. 78. That whenever any tax payer shall fail to make returns to the Auditor of his County within the time prescribed by law, it shall be the duty of the County Auditor to enter on the tax duplicate, against such tax payer, the property charged to him the previous year, with fifty per cent. penalty added thereto, except in cases of sickness, or absence from the County, when the true amount of property only shall be charged.

County Audi-
tors to receive
returns from
persons who
have been sick
or absent.

SEC. 79. If any person required by this Act to list property for taxation shall have been prevented by sickness or absence from giving to the Auditor the statement or return for taxation required, such person or his agent may, at any time prior to the tenth day of September of the year of the assessment, make out and deliver to the County Auditor a statement of the same, sworn to, (which oath the Auditor is authorized to administer,) and shall also make oath before said Auditor that he was sick or absent during the whole time when he should have otherwise listed his property for that year; and, if absent, that such absence was not for the purpose of avoiding the listing of his property. The Auditor shall receive the return made by the absent person, and charge such party with taxes on the duplicate according to the return so made to him.

County Audi-
tors to make
corrections in
valuations of
property.

SEC. 80. Each County Auditor shall correct the valuation of any parcel or lot of real property on which any structures of one hundred dollars or more in value may have been constructed, or on which any structure of like value may have been destroyed, according to the return thereof, made in accordance with the provisions of this Act, and assess the tax upon such corrected valuation. Said Auditor shall also correct any errors he may discover in the name of the owner, in the description or quantity of any parcel or lot of real estate, or in any return made to his office. He shall also correct any errors in his duplicate when ordered by the Comptroller General, but he shall not reduce any assessment of personal property regularly made and returned to his office, nor make any deduction from the valuation of any tract, lot or parcel of real estate, except upon the written order of the Comptroller General, which written order shall only be made by the Comptroller General, upon a statement of facts submitted to him in writing; and when any personal or real property has been listed, returned or entered for taxation in a wrong locality, the County Auditor shall correct the return or entry, and charge such property with the taxes in the locality required by the provisions of this Act: *Provided*, That any correction made in the duplicate by the County Auditor shall be entered on both the Auditor's and Treasurer's duplicate, except that,

Provisos.

in case of the reduction of any assessment or tax, the Auditor may furnish the Treasurer with a certificate of such reduction: *And provided, further,* That each County Auditor shall keep a record of all sales or conveyances of real property made in his County, in which he shall enter, in columnus, the names of the purchaser and seller, the quality of land conveyed, the location and price of the same, and therefrom correct the County duplicates annually; and, for the purpose of carrying out this provision, the Clerks of Courts and Registers of Meane Conveyances of each County are hereby required to have the endorsement of the County Auditor on each and every deed of conveyance for real property that the same is on record in his office, before the same can be placed on record in the offices of said Clerks of Courts or Registers of Meane Conveyances; and the said County Auditor shall be entitled to collect a fee of twenty-five cents, for his own use, for making such entry and endorsement.

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Records of
sales and con-
veyances.

SEC. 81. Each County Auditor shall, annually, on or before November tenth, make out and transmit, by mail, to the Comptroller General a complete abstract of the duplicate of his County, which shall state the aggregate value of taxable property, and the total amount of taxes assessed thereon for that year; and he shall, at the same time, also make out and transmit to the Comptroller General an abstract of the number and value of each of the enumerated articles of personal property, the value of merchants' and manufacturers' stock, and the value of all other personal property as returned by him and fixed by the Board or Boards of Equalization; but such abstracts shall be made out in such form and contain such details as the Comptroller General may prescribe.

County Audi-
tors to transmit
abstract of
duplicate to
Comptroller
General.

SEC. 82. Each County Auditor shall attend at his office on or before the first of May, annually, or at any other time the Comptroller may direct, to make settlement with the Treasurer of his County, and ascertain the amount of taxes, penalties and assessments collected by such Treasurer, and the amount with which such Treasurer is to stand charged on account thereof, and on account of each fund for which a levy was made on the duplicate; and each Auditor shall take, from the duplicate previously put into the hands of said Treasurer for collection, a list of all such taxes, assessments and penalties as such Treasurer has been unable to collect, therein describing the property as described on the duplicate, and shall note thereon, in a marginal column, the several reasons assigned by such Treasurer why such taxes or other charges could not be collected, which list shall be denominated the delinquent list, and which shall be signed and sworn to by the Treasurer before said Auditor; and said Auditor shall record the same in a book, to be provided for

Auditors' set-
tlements with
County Treas-
urers.

A. D. 1874.

that purpose, and transmit an abstract thereof to the Comptroller General; and, in making such list, the delinquencies in each district, city, village and town shall be stated separately, and, after deducting the amount of taxes, assessments and penalties so returned delinquent, and the collection fees allowed the Treasurer by law, said Treasurer shall be held liable for the balance of the taxes, assessments and penalties charged on the duplicate: *Provided, however,* That only the following causes shall be assigned by said Treasurer on said delinquent list for not collecting any tax, penalty or assessment, to wit:

Causes for
non-collection
of taxes.

1st. That sufficient personal property of the party charged therewith could not be found out of which to make the same.

2d. That property was found, but could not be sold for want of bidders; and,

3d. That such taxes, assessments or penalties were enjoined by a competent Court.

Time for re-
ceiving re-
turns.

SEC. 83. It shall be the duty of the County Auditor to receive the returns and make the assessments provided for in this Act within the times prescribed by law, and for this purpose the offices of the County Auditors shall be kept open to receive the returns of tax payers from July 1st to August twentieth in each year,

County Au-
ditors to ap-
point assist-
ants to make
assessments.

SEC. 84. That the various County Auditors are authorized to appoint a sufficient number of assistants to enable them to complete the said assessment within the time fixed by law; and to defray the expense of making said assessment, the said Auditors shall draw their warrants annually upon the County Treasurers for such sums as may be necessary, but not to exceed the following, to wit: The Auditor of Charleston County, two thousand dollars; the Auditors of Richland, Orangeburg, Edgefield, Beaufort, Barnwell, Colleton and Abbeville Counties, one thousand dollars; the Auditors of Aiken, Anderson, Chester, Darlington, Fairfield, Greenville, Marion, Sumter, Spartanburg and York Counties, eight hundred dollars; the Auditors of Georgetown, Kershaw, Laurens, Lexington, Newberry and Union Counties, seven hundred dollars; the Auditors of Chesterfield, Clarendon, Marlboro and Williamsburg Counties, six hundred dollars; the Auditors of Horry, Lancaster, Oconee and Pickens Counties, five hundred dollars each. And the Treasurers of each of the above Counties shall pay to his County Auditor, or his order, the sum specified in the Auditor's warrant, from the first collection of County funds of that fiscal year.

Amounts al-
lowed Au-
ditors for mak-
ing assess-
ments.

Taxes, when
payable.

SEC. 85. All taxes, except as herein excepted, shall be payable annually on or before the fifteenth of January after their assessment, and the several County Treasurers shall collect the same in the manner required by law, and give the receipts therefor to the

several parties paying the same, in which the real estate paid on shall be briefly described, and the value of the personal property paid on shall be stated, together with the time such taxes may be payable.

A. D. 1874.

SEC. 86. The County Treasurer shall keep his office open for the receipt of taxes from November twentieth to March twentieth.

SEC. 87. When the taxes and assessments charged against any party or property on the duplicate shall not be paid on or before the fifteenth of January, after the assessment thereof, or when the remainder of such taxes and assessments shall not be paid on or before the fifteenth of February next thereafter, together with twenty per cent. penalty on such remaining unpaid, the County Treasurer shall proceed to collect the same, by distress or otherwise, as may at the time be prescribed by law, together with a penalty of five per cent. on the amount so delinquent, which penalty shall be for the use of the Treasurer, as a compensation for making such collection.

Proceedings
against delin-
quents.

SEC. 88. When the taxes, assessments and penalties charged against any parcel or lot of real property shall not be paid on or before the fifteenth day of January in each year, or collected by distress or otherwise, as authorized by this Act, a penalty of twenty per cent. thereon shall be added by the County Auditor on the County duplicate; and if the said taxes and penalty shall not be paid on or before the twentieth day of February next thereafter, or collected by distress or otherwise, the penalty and said taxes shall be treated as the delinquent taxes on such real property, to be collected in the same manner that is or may be prescribed by law; and if the amount of such delinquent taxes, assessments and penalties shall not be paid on or before the second Monday in March of the current year, the delinquent taxes, assessments and penalties of the current year shall be due and collected by the sale of such real estate in the manner that is or may be required by law.

County Au-
ditor to add
penalty to un-
paid taxes.

SEC. 89. The County Treasurer, immediately upon the receipt of the tax duplicate for the year from the County Auditor, shall cause a notice to be inserted once in two daily newspapers published at the County seat of his County, if two such papers be there published; if not, then in one such paper; and if no daily paper be published at such County seat, then in two weekly papers published at said County seat; but if two such weekly newspapers be not published, then in one such paper; and if no paper is published in the County, then such notice shall be given in such manner as the County Treasurer may direct, stating the total rate per centum of levies for State purposes, and the total rate per centum for all other purposes, on the duplicate of that year; and if any special

County Treasurers to publish rate, per centum of taxation.

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levies have been made on the property of a school or other district, not affecting an entire County, the total rate of levies in such district shall also be stated in such notice.

Personal property liable to distress and sale for payment of taxes.

SEC. 90. All personal property subject to taxation shall be liable to distress and sale for the payment of taxes and assessments; and any time after any taxes or assessments shall become due, according to law, the County Treasurer, by himself or deputy, may distrain sufficient personal property of the party against whom such taxes or assessments are charged, if the same can be found in his County, to pay the taxes or assessments so due, with any penalty charged or chargeable thereon, and the costs that may accrue, and shall immediately advertise the same in three of the most public places in the town, or ward, or district, in which such property shall be distrained, stating the time and place in such town, ward or district when and where such property will be sold; and if the taxes, assessments and penalties for which such property was distrained, together with the costs of the proceeding, shall not be paid before the day appointed for such sale, (which shall not be less than five, nor more than ten days after posting up such notices of sale,) such Treasurer, or his deputy, shall proceed, at the time and place mentioned in said notices, to sell such property, or so much thereof as may be necessary, at public vendue, to the highest bidder; and if such property, or a sufficient amount thereof, shall not be sold at the time and place aforesaid, such Treasurer shall retain the same in his possession, and advertise and offer the same for sale, in manner aforesaid, from time to time, until the same shall be sold.

Sales of property on which taxes have been paid void.

SEC. 91. If any taxes charged on any real estate be regularly paid, and such real estate be erroneously returned delinquent, and sold for such taxes, the sale shall be totally void; or if any taxes shall be illegally assessed and collected, when the same shall become known to the County Auditor, he shall, on demand of the party interested, submit the matter to the Comptroller General; and if the Comptroller General approve thereof, in writing, the amount paid by the purchaser at such void sale, or the amount so illegally collected, shall be repaid to the party paying the same, out of the County treasury, on the order of the County Auditor; and so much of said taxes as shall have been paid into the State Treasury shall be refunded to the County treasury, and the County Auditor shall retain the same in his next annual settlement, and charge the State therewith.

Persons erroneously or illegally assessed.

SEC. 92. Whenever any person or persons, charged with taxes upon the books of any County Treasurer in this State, shall state, in writing, to said Treasurer, that he or they have been erroneously

or illegally charged with the same, said County Treasurer shall submit to the County Auditor a full statement of the facts in the case, which statement shall be forwarded to the Comptroller General, with such additional information relating thereto as the said County Auditor may be able to give; and said County Treasurer shall not be required to proceed against the party or parties so claiming to have been erroneously or illegally charged with taxes, by distress or otherwise, until the Comptroller General shall, in writing, direct him so to do.

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SEC. 93. That in all cases where the penalty for non-payment of taxes has attached to property held by assignees in bankruptcy, and which could not, or cannot, be sold before the time at which taxes become due; and in all cases where sales of property, for the settlement of estates, ordered by any Court in this State, have not been, and cannot, for want of time, be made in season for the payment of taxes due thereon, the Comptroller General, upon proper evidence that the taxes due upon such property have not been, and cannot be, paid until a sale of said property is made, may remit the penalty which by law attaches for non-payment of taxes.

Property held
by assignees in
bankruptcy.

SEC. 94. The Treasurer shall be allowed the same fees and costs for making distress and sale of real property for the payment of taxes as are, or may be, allowed to Sheriffs for making levy and sale of real property. The County Treasurer shall be allowed the following fees for making distress and sale of personal property: For execution, fifty cents; entry of execution in execution book, fifty cents; levy, fifty cents; advertising, one dollar; traveling fees, five cents per mile one way, to be computed from the seat of justice of the County to the place of making distress; other expenses at the actual costs. The following shall be the commissions of the County Treasurers: Each County Treasurer shall receive the commissions heretofore provided by law for Tax Collectors: *Provided*, The same shall not exceed twenty-five hundred dollars per annum, except in the County of Charleston, where the commissions of the County Treasurer shall not exceed three thousand dollars per annum.

County Treasurers' fees
and costs.

SEC. 95. Each County Treasurer shall, on or before the first Tuesday of June of each year, settle with the Auditor of his County for all taxes, assessments and penalties collected by him on the duplicate of the preceding year, and ascertain the amount with which he shall stand charged on account of such taxes, assessments and penalties; and he shall furnish said Auditor the names of all parties against whom taxes, assessments or penalties are charged on said duplicate, from whom he has been unable to collect such taxes, assessments or penalties, and the amounts uncollected; and when such Treasurer has made a list thereof, he shall swear to and

County Treasurers' settlement with Auditor.

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sign the same before said Auditor, assigning only such reasons for non-collection as are mentioned in the eighty-second Section of this Act, (and only such amounts shall be inserted in said list as remain uncollected on account of some one of the causes mentioned in said eighty-second Section); and after deducting his fees and the amount included in said delinquent list, he shall stand charged with the remainder of the taxes, assessments and penalties charged on said duplicate; but if, in making such settlement, the County Treasurer shall stand charged with any tax, assessment or penalty which, in fact, was not paid prior thereto, he may, at any time while remaining in office, collect the same by distress and sale of property as in other cases of delinquent taxes, or by action in his own name, as for money paid for the use of the party or parties charged with, or bound to pay, said tax, penalty or assessment; and after going out of office he may maintain an action in his own name, as aforesaid, for the collection of such tax, penalty or assessment.

County Treasurers, when to forward to State Treasurer all moneys for the State.

SEC. 96. Every County Treasurer shall, on the first and fifteenth days of each month, forward to the State Treasurer all the moneys collected by him for or on account of the State taxes, specifying for and on account of what fund the same was collected, for which duplicate receipts shall be returned to them by the State Treasurer; of said receipts, one shall be retained by the County Treasurer and one shall be forwarded by him to the Comptroller General. The County Treasurer shall, also, on the first and fifteenth days of each month, notify the Board of County Commissioners the amount of funds collected for and on account of their respective Counties, and the character of such funds; and on the 16th of each month shall also report to the Comptroller General, in such manner as the Comptroller General shall direct, a full and complete statement of the State and County poll tax collected during the previous months or month, which report shall exhibit the total collection made during the fiscal year, the amount disbursed and cash on hand for or on account of any levy or tax collected by him; which report shall be denominated "the County Treasurer's monthly report."

When to report to County Commissioners amount of County funds collected.

Manner of collecting delinquent chattel taxes.

SEC. 97. If any chattel tax shall be unpaid at the time fixed for the payment thereof by this Act, or returned delinquent, as authorized by this Act, the County Treasurer may not only distrain property for the payment thereof, but may recover the same, with the penalties thereon, by action at law, proceedings in attachment, or other means authorized by law to be used by private individuals in the collection of debts, which action or other proceedings shall be prosecuted in the name of such Treasurer; and if he shall die

or go out of office before the termination of such action or proceeding, or the final collection of the money, or any judgment or order therein, his successor or successors may, from time to time, be substituted as plaintiff therein.

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SEC. 98. If, after the return of any chattel tax by any County Treasurer as delinquent, the County Treasurer shall know or be informed that the party against whom the same is charged resides in some other County in this State, or has property or debts due him therein, it shall be his duty to make out and forward to the Treasurer of such other County a certified statement of the name of the party against whom such taxes are charged, of the value of the property on which such taxes were levied, the amount of the taxes and penalties assessed thereon, and that the same are delinquent, to the aggregate of which taxes and penalties he shall add twenty-five per cent. as collection fees, upon the receipt of which certificate it shall be the duty of the Treasurer of such other County to collect such delinquent taxes and penalties, with the twenty-five per cent. collection fees as aforesaid, for which purpose he shall have all the rights, powers and remedies conferred upon the Treasurer of the County in which such taxes were assessed, and be allowed the same fees for distraint and sale of property as if said taxes had been levied in his own County, and, upon collection made, may retain one-half of said twenty-five per cent. collection fees, and shall transmit the balance collected by him to the Treasurer of the County from whom he received such certified statement by mail. But if the Treasurer to whom any such statement is sent cannot collect the amount therein named, or any part thereof, he shall return the same, so endorsed, with reasons for such non-collection.

Proceedings
against non-
residents for
delinquent
taxes.

SEC. 99. On the 16th of February of each year the County Treasurer shall furnish the County Auditor with a list of the names of such tax payers on his duplicate as have failed to pay the tax and penalties charged against said tax payers on account of any real property, said property to contain the number of lots and acres of land, with buildings thereon, with the State and County tax in detail and aggregate, which list shall be denominated the list of delinquent lands. And all real property returned delinquent by the County Treasurer, as provided for in this Act, shall be offered for sale on the second Monday in March next after the same shall be thus returned, to satisfy taxes, assessments and penalties thereon: *Provided*, That at all sales of lands for taxes, only the right, title and interest of the one in whose name the land has been listed and assessed shall be sold, and the purchaser shall take the same subject to all incumbrances thereon at the time of sale: *Provided, however*,

Delinquent
list.

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That the purchaser at such tax sale shall be entitled to the possession of the land sold until the first day of December next after the first day of January next after the day of sale.

Delinquent
lands to be
published by
County Audi-
tor.

SEC. 100. Each County Auditor in this State shall, annually, cause the list of delinquent lands in the County to be published weekly for two weeks, between the 16th of February and the first Monday in March following, in one newspaper, and no more, published in his County; and if no paper be published in said County, then in some newspaper having the most general circulation in said County, to which list there shall be attached a notice in the following form, to wit: "Notice is hereby given that the whole of the

Form of no-
tice.

several parcels, lots and parts of lots of real estate described in the preceding list, or so much thereof as will be necessary to pay the taxes, penalties and assessments charged thereon, will be sold by Treasurer of _____ County, South Carolina, at his office in said County, on the second Monday of March, A. D. _____, unless said taxes, assessments and penalties be paid before that time; and such sale will be continued, from day to day, until all of said parcels, lots and parts of lots of real estate shall be sold or offered for sale.

A. D.

Auditor of

County."

And said Auditor shall insert, at the foot of the record of said delinquent list, a copy of said notice, and certify to the correctness thereof, in what paper the same was published, when, and how long, and sign the same officially.

Sale of real
property.

SEC. 101. The County Treasurer, or his deputy, shall attend at his office on the second Monday in March, and then and there, after the hour of 10 o'clock in the morning, offer for sale, at public auction, each tract, parcel or lot of real estate described in the advertisement aforesaid, on which the taxes, assessments and penalties charged thereon shall not have been paid; and the person then and there offering to pay the taxes, assessments and penalties charged thereon, for the least quantity thereof, shall be the purchaser; and the Treasurer shall continue such sale, from day to day, until each tract, parcel or lot of real estate described in said advertisement, upon which the taxes, assessments and penalties shall not have been paid, shall be sold or offered for sale: *Provided*, That the sale thus made shall be denominated the delinquent land sale: *Provided*, That the time occupied in conducting above delinquent land sale shall not extend beyond the Friday following the second Monday in March: *Provided, further*, That the charges for advertising by the County Auditor shall not exceed two dollars.

Provisos.

SEC. 102. If the party purchasing any part of real estate at the

sale mentioned in the preceding Section shall fail to pay the Treasurer immediately the amount of taxes, assessments and penalties charged thereon, the Treasurer shall immediately offer the same again for sale, as if no sale had been made; and the purchaser or purchasers so failing to make payment of said taxes, assessments and penalties shall forfeit and pay a penalty of 50 per cent. on the amount thereof, which shall immediately be charged on the duplicate of the County, by the County Auditor, against such purchaser or purchasers, and collected as taxes, and with like penalties for delinquency; and, when collected, one-half thereof shall be retained by the County treasury, and the other half paid to the County Auditor.

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Penalty for failure on part of purchaser to make payment.

SEC. 103. The County Auditor, or his deputy, shall attend all sales of delinquent real estate made by the Treasurer of his County, and shall make a record of such in a substantial book, therein describing the several parcels offered for sale, as described in the advertisement aforesaid, and stating how much of each parcel was sold, and to whom sold; and if any parcel was offered for sale and not sold for want of bidders, he shall so enter it on record; and the County Auditor shall make out and certify a copy of said record, and forward the same to the Comptroller General, by the County Treasurer, at the time said Treasurer makes his annual settlement with the Comptroller General next after such sale.

County Auditors to make record of sales and forward certified copy to Comptroller General.

SEC. 104. All moneys received by the County Treasurer at any delinquent land sales shall be distributed by the County Auditor to the several funds for which they were respectively levied, after deducting the expenses of the advertisement aforesaid, which in all cases shall be paid to the County Auditor, and the State's proportion paid into the State Treasury by the County Treasurer, at his next annual settlement with the Comptroller General after such sale.

Distribution of proceeds of sale.

SEC. 105. If the County Auditor, by inadvertence or mistake, or any other cause, shall have heretofore omitted, or shall hereafter omit, to publish the delinquent list of his County, or any portion thereof, it shall be his duty, unless all taxes, assessments and penalties charged therein shall have been paid prior to the next June settlement therewith of the County Treasurer, to charge the several parcels of real estate described in said list with said taxes, assessments and penalties with the taxes, assessments and penalties of the year next succeeding such omission, and record, certify and publish the same as part of the delinquent list of such succeeding year, according to the provisions of this Act.

Omission to publish.

SEC. 106. Upon the payment of the proper amount into the County treasury, and fifty cents to the County Auditor for the

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Certificates of purchase of real estate to be given by County Auditors.

certificate, and ten cents for the transfer of each parcel of real estate purchased at delinquent land sale, the County Auditor shall give to each purchaser at such sale a certificate of purchase, in which he shall describe such parcel as the same was described in the delinquent list, and state when the same was sold, and for what amount; and if only a part of any parcel advertised was sold, he shall specify the quantity sold, and authorize a surveyor, at the request of the purchaser, his heirs or assigns, to lay off, by metes and bounds, as near as may be, in a square form, at the most northwesterly corner of any tract or lot of land described in said certificate, the quantity so sold; and if the sale be made from any city, village or town lot, or any part thereof, the surveyor shall be directed to so lay off the quantity sold that the same shall extend from the principal street or alley forming the most convenient front to said lot to the rear of the lot, and to bound the same by lines as nearly parallel with the outlines of said lot as practicable.

Deeds.

SEC. 107. No deed shall be made for any real estate sold at delinquent land sale until the expiration of 91 days from and after such sale. Nor shall any survey thereof, required by any certificate of purchase, be made until the expiration of the same period of time.

Certificates of purchase.

SEC. 108. The certificate of purchase at any delinquent tax sale shall be assignable in law, by endorsement thereon, and an assignment thereof shall vest in the assignee and his legal representatives all the right and title of the original purchaser.

Redemption of real estate sold.

SEC. 109. All real estate which has been, or may hereafter be, sold for taxes, assessments and penalties at delinquent sale, under the laws of this State, may be redeemed at any time within ninety days from and after such sale, and all such real estate belonging, at the time of such sale, to minors, insane persons, married women, or persons in confinement, may be redeemed at any time within ninety days from and after the expiration of such disability.

Mode of redemption.

SEC. 110. Any person or persons desiring to redeem any real estate sold at delinquent land sale, under any law of this State, may, within thirty days after the sale thereof, or within thirty days after the expiration of the disabilities named in the preceding Section, deposit with the County Treasurer of the County in which such sale was made, upon the certificate of the County Auditor, a sum equal to the amount for which such real estate was sold, with all legal charges paid by the purchaser at such sale, and subsequent taxes paid by such purchaser, his heirs or assigns, and twenty-five per cent. penalty thereon, and the value of growing crops, if any there are, and two dollars to pay the expenses of advertising, as hereinafter provided; and any person desiring to redeem any such

real estate after the expiration of twenty days, and within ninety days after any such sale, or the removal of any of the disabilities aforesaid, may deposit with the County Treasurer aforesaid, on the certificate of the County Auditor, an amount of money equal to that for which such real estate was sold, and taxes subsequently paid thereon by the purchaser and those claiming under him the legal charges as aforesaid, and fifty per cent. penalty thereon, and two dollars to pay the expenses of advertising, as aforesaid; also, paying the Auditor fifty cents for his services in attending to such redemption in either case.

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SEC. 111. All applications for the redemption of real estate sold at delinquent tax sale as aforesaid shall be made to the Auditor of the County in which such real estate shall have been sold by a party interested in the title to said estate; and, upon such application, the Auditor shall give to such party the certificate mentioned in the preceding Section, describing the real estate sought to be redeemed, and specifying the sum necessary for such redemption, and adding thereto the two dollars for expense of publishing the notice of such redemption, upon the presentation of which to the County Treasurer of the County, and payment of the sums mentioned therein into the County treasury, the Treasurer shall give to the applicant duplicate receipts therefor, describing the property as described in said certificate of the Auditor; and, upon the delivery of one of such receipts to the County Auditor, said Auditor shall immediately cancel the sale, and transfer the property to the party redeeming the same; and such payment and cancellation shall operate as a release of all the rights of the purchaser at such sale, his heirs and assigns.

Applications
for redemption

SEC. 112. The County Auditor, immediately upon the redemption of any real estate as aforesaid, shall publish in some newspaper of general circulation in his County, for two consecutive weeks, a notice, addressed to the purchaser and his assigns, that the money has been deposited in the County treasury of his County for the redemption of such real estate, describing the same and the time when sold for taxes; for the publication of which notice said Auditor shall pay the sum of two dollars out of the County treasury.

County Au-
ditor to pub-
lish notice of
redemption.

SEC. 113. Any tenant in common may redeem his individual share in any real estate sold at delinquent land sale in the manner provided for in the preceding Sections, upon payment into the County treasury of his equal proportion of the sum requisite for the redemption of the whole, and two dollars for the publication of the notice of such redemption.

Tenants in
common may
redeem.

SEC. 114. Upon the demand of the purchaser or his legal representatives of any real estate redeemed as aforesaid, and the surrender of the certificate of purchase to the County Auditor, and pay-

Cancelling
certificates.

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ment of fifty cents to said Auditor for his services in attending to such redemption, the Auditor shall cancel said certificate of purchase, file the same in his office, and give to such purchaser, or his legal representatives, an order on the County Treasurer for the amount of money deposited in the County treasury in manner aforesaid, for the redemption of the real estate described in such certificate of purchase.

Redemption
before deed is
made.

SEC. 115. Any person interested may, at any time before the deed is made by the County Auditor, with the consent of the purchaser of any parcel of real estate sold at delinquent land sale, and the delivery and cancellation of the certificate of purchase, redeem such real estate; and in such case, and also upon deposit of money in the County treasury as aforesaid, for the redemption of any real estate sold at such sale, the County Auditor shall note such redemption or deposit, and by whom and when made, on the record of delinquent land sales, and sign his name officially thereto, for doing which any party redeeming by consent as aforesaid shall pay said Auditor fifty cents as his fees.

Auditors to
make deeds to
purchasers.

SEC. 116. After the lapse of ninety-one days from the time of any delinquent land sale, if any purchaser of any real estate at such sale, or his legal representative, shall present to the Auditor of the County in which such sale was made a certificate of purchase of the whole of any tract or lot of real estate sold at such sale, or in case of the sale of part of a tract or lot offered at such sale, present to said Auditor the certificate of sale, and the survey and plat of the quantity purchased, made by the surveyor, as required by this Act, and the taxes and assessments levied on the real estate described in such certificate, or certificate and plat, shall have been so far paid as that the same is not again delinquent, said Auditor shall (upon payment to him of two dollars as his compensation therefor) make and deliver to such purchaser, his heirs or assigns, as the case may be, a deed of conveyance for the real estate so sold as aforesaid, which deed of conveyance shall be in the following form:

Two or more
tracts in one
deed.

Provided, That where the whole of two or more several tracts or lots, or parts of tracts or lots, of real estate have been, or shall be, sold to the same party, or the certificates of purchase of different tracts or lots, or parts of tracts or lots, have been, or shall be, legally acquired by one person, and the party thus purchasing or holding certificates, as aforesaid, shall demand one deed for the whole of the real estate so purchased, the County Auditor shall include the whole in one deed, if all the requirements of this Act have been complied with, so that the party demanding such deed would be entitled to separate deeds for the said several parcels of real estate; and if the whole of any tract or lot of real estate has been acquired by one

party by different purchases, or by assignments of certificates of purchase, the survey and plat aforesaid shall be dispensed with, and the deed made for the whole; and the deed so made by the County Auditor for any real estate sold at delinquent land sale shall be *prima facie* evidence of a good title in the grantee, his heirs and assigns, to the real estate therein described.

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Deed of Auditor shall be evidence of title.

SEC. 117. Each tract or lot of land, or part thereof, or city, village or town lot, or part thereof, which shall be offered for sale by the County Treasurer at any delinquent land sale, as provided for in this Act, and not sold for want of bidders, shall thereby become forfeited to the State of South Carolina, and thenceforth all the right, title and interest of the former owner therein shall be vested in the State of South Carolina, and shall be designated by the County Auditor on the list of delinquent lands as "forfeited," and transferred to the State of South Carolina, and charged with taxes and penalties, as if the same was purchased by a private individual, and returned by the Treasurer as delinquent until sold as forfeited real estate: *Provided, however,* That the original owners shall have the privilege at any time within ninety-one days to redeem the same upon payment of all costs and charges and taxes that may attach subsequent to such forfeiture, together with all previous taxes, costs, charges and penalties.

Lands forfeited to the State.

Proviso.

SEC. 118. The County Auditor shall enter, in a substantial book, to be provided by him for that purpose, at the expense of the County, and denominated the "Forfeited Land Record," a list of all real estate forfeited to the State, according to the provisions of this Act, certify to the correctness thereof, and sign the same officially; a copy of which list he shall certify and transmit to the Comptroller General, by the County Treasurer, at the time the Treasurer makes his annual settlement with the Comptroller General, next after the forfeiture or purchase of such real estate, and the Comptroller General shall record the same in his office as a credit to the County Treasurer.

Forfeited land record to be kept by Auditor.

Copy transmitted to Comptroller General.

SEC. 119. The County Auditor of any County in which any real estate shall hereafter be sold at delinquent land sale shall make deeds therefor, though the real estate may have been, or shall hereafter be, set off into another County subsequent to such sale, and such deed shall have the same effect as if such real estate had remained in the County in which it was sold.

Forfeited land deeds.

SEC. 120. All real estate sold at delinquent land sale, under the provisions of this Act, shall, immediately upon the certificate of purchase being given therefor, be transferred by the County Auditor on his book of real estate, as provided for in the eightieth Section of this Act, to the name of the purchaser.

Real estate sold transferred to purchaser.

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Sale not in-
validated.

SEC. 121. The sale of any real estate at delinquent land sale shall not be held invalid on account of its having been charged on the duplicate in any other name than that of the rightful owner.

Certificates
lost.

SEC. 122. If any certificate given at any sale of delinquent lands shall be lost or destroyed, upon satisfactory proof thereof to the proper County Auditor, he shall make to the party entitled thereto a deed for the real estate so sold, precisely as if such certificate of purchase had not been lost or destroyed.

Minute of
deeds entered
in record of
delinquent
land sales.

SEC. 123. The County Auditor shall enter on his records of delinquent land sales a minute of all deeds by him made in pursuance of any sales of real estate therein recorded, naming the party in whose name the same stood charged on the duplicate at the time of the sale, the date of the sale, and name of the purchaser, a brief description of the real estate, the quantity sold, the amount for which the same was sold, the date of the deed, and the name of the grantee therein; also, a minute of all redemptions of any real estate so sold before any deed made therefor, with the date of redemption, and the name of the party redeeming.

Rights of
tenants in com-
mon.

SEC. 124. The purchaser of any interest of any tenant in common, in any real estate, at any sale of delinquent lands, shall, on obtaining a deed therefor from the County Auditor, hold the same with the other owners, as a tenant in common, and be entitled to a partition of the estate so held in common, as other tenants in common.

New structures
shall be listed.

SEC. 125. It shall be the duty of each owner of lands, and of any new structures thereon which shall not have been appraised for taxation, to list the same for taxation with the County Auditor of the County in which they may be situate, on or before the twentieth day of August next after the same shall become subject to taxation.

Courts shall
order taxes
paid out of
proceeds of
real estate sold
by order of
same.

SEC. 126. When any real estate shall be sold under any writ, order or proceedings in any Court, the Court shall, on motion of any person interested in the real estate, or in the purchase or proceeds of the sale thereof, order all taxes, assessments and penalties charged thereon to be paid out of the proceeds of such sale, as a lien prior to all others.

Taxes to be
first liens.

SEC. 127. All taxes, assessments and penalties legally assessed shall be considered and held as a debt payable to the State by a party against whom the same shall be charged; and such taxes, assessments and penalties shall be a first lien against the estate of all deceased persons; against the estate of bankrupts and insolvents; against the assets and estates of all persons making assignments for the benefit of creditors; against all property held in trust; against all personal property held on chattel mortgage or in

pledge; against all personal property sold for the purpose of avoiding the payment of taxes; against all personal property held by parties in fraud of creditors; against all stocks of goods, implements, machinery and tools of merchants or manufacturers, as against purchasers of the whole of such stocks upon which the taxes have not been paid; and such taxes shall be first paid out of the assets of any estates of deceased persons, or held in trust as assignee or trustee, as aforesaid, or proceeds of any property held on execution or attachment; and the County Treasurer may proceed, by action at law, against the parties holding property otherwise, as above mentioned; or, if he can obtain the possession of the property, he may distrain and sell the same precisely as if the same had not been sold, mortgaged or pledged, as above mentioned.

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SEC. 128. If any action be prosecuted against the County Auditor or County Treasurer for performing, or attempting to perform, any duty enjoined upon them by the provisions of this Act, the result of which action will affect the interests of the County, if decided in favor of the plaintiff in such action, such Auditor or Treasurer shall be allowed and paid out of the County treasury reasonable counsel fees and other expenses for defending such action and the amount of any damages and costs adjudged against him, which fees, expenses, damages and costs shall be apportioned ratably by the County Auditor among all the parties, except the State, interested in the revenue involved in said action; and if the State be interested in the revenue in said action, the County Auditor shall, immediately upon the commencement of said action, inform the Comptroller General of its commencement and of the alleged cause thereof, and the Comptroller General shall submit the same to the Attorney General, who shall defend said action for and on behalf of the State; and if only some local levy made by town or other municipal authorities be involved in such suit, such town or other municipal authority shall employ and pay counsel and all damages and costs recovered in such action; and the County Auditor or Treasurer, or both, if both be sued, may, by cross petition, answer or motion in Court, cause the town trustees or other local or municipal authorities interested in the revenue involved in the action, to be made parties thereto, (if not already parties,) and the Court in which such action may be pending shall cause trustees, or other local or municipal authorities, to be made parties to such action, and render judgment for any damages and costs which may be found in favor of the plaintiff against said town trustees or other municipal or local authorities, and not against said Auditor or Treasurer.

Suits against
County officers.Local or municipal
officers
may be parties
to suits against
County officers.

SEC. 129. Each County Auditor shall answer, in writing, all

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County Audi-
tors to give
answers in
writing to
Comptrol-
ler General.

inquiries propounded to him by the Comptroller General touching the condition and value of the real estate of his County and changes made in the valuations thereof in the different towns, villages, cities, wards and other districts; also, as to the valuations of the different classes of personal property for taxation, as compared with their market value, and in relation to any and all matters which the Comptroller General may deem of interest to the public, or of value to him in the discharge of his duties as Comptroller General.

Pay of State
Board of
Equalization.

SEC. 130. Each member of the State Board of Equalization, except the State officers on said Board, shall receive three dollars per day for each day he shall be employed in performing the duties enjoined upon him, and ten cents per mile for traveling to, and the same for returning from, the seat of government, to be computed by the most usually traveled route, and paid out of the State Treasury, on the warrant of the Comptroller General.

Pay of County
Boards of
Equalization.

SEC. 131. Each member of the County Boards of Equalization shall receive for his services, for each day actually employed in performing the duties enjoined upon him, three dollars per day and five cents per mile each way as mileage for travel actually performed: *Provided*, That only one mileage shall be paid by said County Treasurer, to be paid out of the County treasury, on the warrant of the County Auditor.

Penalty for
neglect of
duty.

SEC. 132. Every County Auditor, County Treasurer, County Commissioner, who shall, in any case, refuse or knowingly neglect to perform any duty enjoined on him, or who shall consent to, or connive at, any evasion or violation of any of the provisions of this Act, whereby anything required to be done by any of said provisions shall be hindered or prevented, or whereby any property required to be listed, or equalized, for taxation, shall be unlawfully exempted, or the valuation thereof be entered on the return for taxation, or on the duplicate, at less than its true value, estimated according to the rules prescribed, or any tax, assessment or penalty shall not be collected, shall be deemed guilty of an offense, and, upon indictment and conviction thereof, shall be fined in any sum not exceeding two thousand dollars, and imprisoned in the Penitentiary for a term not less than one nor more than three years.

County Audi-
tors to admin-
ister oaths.

SEC. 133. Each County Auditor is hereby authorized to administer all oaths necessary to be taken by any one in the assessment and return of property for taxation, or necessary in the performance of any duty enjoined upon County Auditors by law.

Compensation
of County
Auditors.

The following shall be the compensation of County Auditors:

Auditor of Charleston County, \$2,000;

Auditor of Richland, Abbeville, Beaufort, Edgefield, Orangeburg, Barnwell, Colleton, Anderson, Aiken and Sumter, \$1,500;

Auditor of Chester, Darlington, Fairfield, Greenville, Marion, York and Newberry, \$1,250;

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Auditor of Georgetown, Kershaw, Laurens, Lexington, Spartanburg, Union, Chesterfield, Clarendon, Oconee, Marlboro, Williamsburg, Horry, Lancaster and Pickens, each \$1,000; to be paid quarterly by warrants on the State Treasurer issued by the Comptroller General: *Provided*, That the Comptroller General shall not issue to any County Auditor any warrant for salary until said Auditor shall file in the office of the Comptroller General all abstracts and reports due from or by said Auditor.

Proviso.

SEC. 134. The Governor is authorized, by and with the advice and consent of the Senate, to appoint County Auditors and County Treasurers, who shall hold their office for a term of two years, and no longer, unless re-appointed, and to require such bonds from said officers as he may deem necessary: *Provided*, That the bond of the County Treasurer of Charleston County shall not be less than fifty thousand (50,000) dollars; the County Treasurers of Richland, Abbeville, Beaufort, each thirty thousand (30,000) dollars; and the bonds of the County Treasurers of each of the other Counties shall not be less than twenty thousand (20,000) dollars each.

Governor to
appoint
officers.

Proviso.

SEC. 135. That when any County Auditor or Treasurer shall, during a recess of the Senate, be shown, by evidence satisfactory to the Governor, to be guilty of misconduct in office, or crime, or for any reason shall become incapable or legally disqualified to perform its duties, in such case, and in no other, the Governor may suspend such officer, and designate some suitable person to perform, temporarily, the duties of such office until the next meeting of the Senate, and until the case shall be acted upon by the Senate; and such person, so designated, shall take the oath and give the bond required by law to be taken and given by the person duly appointed to fill such office, and, in such case, it shall be the duty of the Governor, within ten days after the first day of such meeting of the Senate, to report to the Senate such suspension, with the evidence and reasons for his action, and the name of the person so designated to perform the duties of such office; and if the Senate shall concur in such suspension, and advise and consent to the removal of such officer, they shall so certify to the Governor, who may thereupon remove such officer, and, by and with the advice and consent of the Senate, appoint another person to such office. But if the Senate shall refuse to concur in such suspension, such officer, so suspended, shall forthwith resume the functions of his office, and the powers of the person so performing its duties in his stead shall cease, and the official salary and emoluments of such officer shall, during such suspension,

Removal of
officers by Gov-
ernor.

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Proviso.

belong to the person so performing the duties thereof, and not to the officer so suspended: *Provided, however,* That the Governor, in case he shall become satisfied that such suspension was made on insufficient grounds, shall be authorized, at any time before reporting such suspension to the Senate, as above provided, to revoke such suspension and reinstate such officer in the performance of the duties of his office.

Exercising
duties of Au-
ditor and
Treasurer, con-
trary to pro-
visions of this
Act, a misde-
meanor.

SEC. 136. That if any person shall, contrary to the provisions of this Act, accept the office of County Auditor or Treasurer, or shall hold or exercise, or attempt to hold or exercise, any such office, or fail, when application is made to him by his successor, to turn over all the books, papers and property, of all kind whatsoever, pertaining to said office, he shall be deemed, and he is hereby declared to be, guilty of a misdemeanor, and upon trial and conviction thereof, he shall be punished therefor by a fine not exceeding five thousand dollars, or by imprisonment not exceeding five years, or both said punishments, in the discretion of the Court.

Comptroller
General to ex-
amine Audi-
tors' and
Treasurers'
accounts.

SEC. 137. The Comptroller General of the State shall, as often as once a year, either in person or by some authorized agent of his office, examine all the books, papers and accounts pertaining to the office of the Auditors and Treasurers of the respective Counties of this State, with a view of protecting the interests of the State, and rendering the said officers such aid or instruction as, in the discharge of their several duties, they may need to make their service the more efficient.

Treasurer of
Charleston
County to ap-
point deputies.

SEC. 138. The Treasurer of Charleston County is authorized to appoint four deputies, whose duty it shall be to assist in the collection of taxes in said County. Said deputies shall each receive, as compensation for their services, the same commissions as are paid for the collection of taxes to the County Treasurer: *Provided,* That the total amount paid to each deputy, in any current year, shall not exceed the sum of five hundred dollars: *And provided, further,* That the duties of said deputies shall be confined to the collection of the simple taxes, and shall not include the collection of taxes with penalties attached. Said deputies shall give such bond for the faithful performance of their duties as said County Treasurer shall require.

Provisos.

Failure of
General As-
sembly to levy
taxes.

SEC. 139. That whenever the General Assembly shall fail to make the annual levy of taxes, or the collection of the same may be in any way delayed, it shall be the duty of the Comptroller General to notify each County Treasurer that the penalty for non-payment shall not attach until after the expiration of sixty days from the date of his public announcement of his readiness to collect the said taxes.

SEC. 140. The collection of taxes shall not be stayed or prevented by any injunction, writ or order, issued by any Court or Judge thereof.

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Collection of taxes not to be stayed by injunction.

SEC. 141. In any action or proceeding against any County Treasurer in this State, for the purpose of recovering any property or money alleged to have been erroneously or illegally assessed and collected as taxes, assessments or penalties, unless the party bringing such action or proceeding shall make it appear that a notice in writing of the claim on which such suit may be brought was given to said Treasurer in pursuance of the 92d Section of this Act, and unless it shall be made to appear that said Treasurer has proceeded contrary to the provisions of this Act, the amount recovered in such suit shall not exceed the value of the property or money aforesaid.

Proceedings against County Treasurers.

SEC. 142. It shall be the duty of the Attorney General of the State to defend any suit or proceeding against any County Treasurer, or other officer, who shall be sued for moneys collected, or property levied on or sold on account of any tax, when the Comptroller General shall have ordered such collector to proceed in the collection of any such tax, after notice as aforesaid, or suit brought; and any judgment against such Treasurer, or other officer, finally recovered shall be paid in the manner provided in Section one hundred and forty-one (141) of this Act.

Attorney General to defend suits against County Treasurers.

SEC. 143. That all past due and unpaid taxes, State or County, laid or levied under or by authority of the late Provisional Government, or under or by virtue of military orders, shall be paid and collected by the County Treasurer, to whom the late Tax Collectors shall turn over all moneys, books, tax executions, papers and other property now in their possession, in the same manner as is provided in this Act.

Past due and unpaid taxes.

SEC. 144. Fees for the actual collection of taxes only shall be allowed, and no costs or expenses shall be paid by the County or State on any executions issued, or hereafter to be issued, and returned *nulla bona*.

Nulla bona executions.

SEC. 145. The Attorney General shall, when requested so to do, give to the Comptroller General a written opinion upon any question submitted to him by said Comptroller General, relative to the true construction of this Act or any provisions thereof.

Attorney General to furnish written opinions when requested.

SEC. 146. The County Commissioners of each County shall, on or before October thirty-first in each year, make a report to the Comptroller General, to be transmitted by him to the General Assembly, not only of the amount of taxes levied and collected in their respective Counties, but a detailed account of all their doings as required by law, and said report shall be made in such form as the Comptroller General of the State shall direct or

County Commissioners to report to Comptroller General amount of taxes levied and collected in their respective Counties.

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prepare and forward to them for such purpose; and upon failure so to report, they shall be fined in a sum not less than two hundred nor more than five hundred dollars.

County Treasurers to attend at certain places for collection of taxes.

SEC. 147. It is hereby made the duty of each County Treasurer, or his deputy, in the collection of taxes, and for the convenience of each tax-payer, that he shall attend at such polling precinct as the County Board of Equalization may direct in his County, and at as many additional public places as in his judgment will be necessary for the collection of the same.

Conflicting Acts repealed.

Proviso.

SEC. 148. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed: *Provided*, That nothing herein contained shall be construed to repeal an Act entitled "An Act to provide for the redemption of forfeited lands upon certain conditions therein named," approved February 13, 1874.

Approved March 19, 1874.

No. 632. AN ACT TO CHARTER THE CONGAREE MANUFACTURING COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John C. Seegers, Charles Minort, W. Beverly Nash, John Alexander, Charles Mahon, E. W. Seibels, B. F. Whittemore, Joseph Crews, R. D. Senn, L. D. Childs, T. C. Andrews, James E. Black, J. L. Neagle, J. B. Ezell, John B. Palmer, W. R. Jervy, John Lee, C. M. Wilder, Wm. Berry, Lawrence Cain, David Harris, S. A. Swails, H. E. Hayne, S. B. Thompson, J. D. Boston, F. Nix, J. Warley, W. H. Perry, A. O. Jones, N. B. Myers, William J. Etter, S. J. Lee, their associates and successors, be, and they are hereby declared, a body politic and corporate, under the name and style of the Congaree Manufacturing Company, and under that name and style shall be, and are hereby, made capable to have, purchase, hold, enjoy and retain to their successors, lands, rents, tenements, goods, chattels and effects of whatsoever kind or quality soever, and the same to sell, alien or dispose of; to sue or be sued, plead or be impleaded, answer and be answered, defend and be defended, in Courts of record or any other place whatsoever; to have perpetual succession, and to have and to exercise all the rights and privileges of similar corporations generally.

Corporators.

Corporate name.

General powers.

SEC. 2. That the said company is hereby authorized to construct a dam across the Congaree River, at such point below Geiger's Mill as it may deem most practicable for utilizing the water of said river for manufacturing purposes on either or both sides thereof. That the said dam shall be constructed and finished within three years from the passage of this Act, and if not so constructed and finished, within three years from the passage of this Act, all rights, powers, franchises and privileges conferred by this Act shall cease and determine.

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May construct a dam across Congaree River.

When to be finished.

SEC. 3. That before commencing the construction of such dam, the said company shall cause surveys to be made showing the extent to which the lands of the riparian proprietors, above such dam, will be covered by the flowage caused by the dam, and shall make compensation to the owners of such lands so to be overflowed, and the like compensation to the owners for so much of the lands as may be occupied by the abutments or other portions of said dam, and by the water gates and basin or headway of any canal said company may dig immediately connected with said dam.

Survey.

Compensation to riparian proprietors.

SEC. 4. That if, from any cause, the amount of compensation to be paid cannot be ascertained by agreement between said company and the owners of such lands, the said company may proceed to have the same ascertained by a jury, in the same manner, and subject to the same regulations of procedure, as are now by law directed for ascertaining of compensation for the right of way over lands required for the construction of railroads by the provisions of an Act passed on the 22d day of September, Anno Domini 1868, entitled "An Act to declare the manner by which the lands, or right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement." *Provided*, That the damages awarded shall have respect alone to the quantity and value of the lands so to be overflowed or occupied, and to the special damage which the owners of such lands may sustain by reason of the construction of such dam, water gates and basin, or headway of such canal upon their lands, and by reason of the flowage caused thereby upon such lands.

Compensation in cases of disagreement, how ascertainable.

Proviso.

SEC. 5. That if the flowage or elevation of water in the Congaree River, caused by said dam, shall extend to any bridges, mills, machinery or factories now in operation, or to any other rights or property, and shall, to any extent, interfere with such bridges, mills, machinery, factories or other rights or property, the said company, before constructing said dam, shall cause to be ascertained in like manner, and shall pay to the proprietors thereof, the compensation so to be ascertained for all damages that may be caused to such

Compensation for damages to bridges, mills, etc.

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bridges, mills, machinery, factories, rights or other property by such flowage or elevation of water.

Owners of Columbia Canal may participate in use of water elevated by said dam.

To contribute one-half cost of damages.

Entitled to use of water elevated on the Richland shore.

If owners of Columbia Canal agree to make contributions, entitled to participate in construction of dam.

In case of disagreement as to location, &c., matter to be referred to United States engineer.

Said companies to keep dam in repair.

In what case may be discharged from obligations to furnish Penitentiary.

SEC. 6. That when the Congaree Manufacturing Company shall notify the owners of the Columbia Canal that they are prepared to build said dam, and shall give proper evidence of their ability to build the same, the owners of the Columbia Canal shall be entitled to participate equally with the Congaree Manufacturing Company in the use of the water elevated by the construction of said dam :

Provided, They contribute one-half the amount required for its construction and repair, and become liable for and pay one-half of the amount required to satisfy the cost arising from damages caused by flowage occasioned by the erection of said dam : *Provided, further*, That the owners of the Columbia Canal, if they decline such contributions, shall at all times have the right to use the water elevated by the said dam along the Richland shore at the same rates as shall be charged for the use of the water elevated along the Lexington shore : *Provided, further*, That if the owners of the Columbia Canal shall make known to the said Congaree Manufacturing Company, in writing, their readiness to make, and do make, such contributions, the owners of the said canal shall have and be entitled to claim and participate with said company in the location and construction of said dam, and also to participate in all arrangements as to compensation for damages caused by its flowage ; such location of said dam to be most equitable, as to amount of water and expense, and to equalize the utilization of the entire waters of the Congaree River : *Provided, further*, That any and all questions of location or construction which cannot be agreed upon by the two companies be referred to two engineers, selected from the corps of United States engineers, one by each ; and in case of a failure to agree on their part, then the matter to be decided by the Engineer-in-Chief of the United States Army at Washington City, the expenses accruing therefrom to be borne equally by each company : *Provided, further*, That upon the completion of said dam, the said companies shall keep in repair the said dam, to wit : The Congaree Manufacturing Company the half next the Lexington shore, and the owners of the Columbia Canal the half next the Richland shore ; and the said companies shall become responsible, each to the other, for any and all damages that may be caused to either party by neglect in promptly repairing its portion of said dam.

SEC. 7. That if the flowage or elevation of the water caused by said dam shall interfere with the furnishing to the State Penitentiary, in the manner in which the same is now furnished by the owners of the Columbia Canal, of the water power which, by their contract, the owners of said canal are required to supply to the

Penitentiary, they shall thereby be discharged from their obligations to furnish such water power: *Provided*, That if the owners of the Columbia Canal shall be released from their present obligation to furnish the water power required at the State Penitentiary, as provided for in this Section, then if the owners of the Columbia Canal shall unite with the Congaree Manufacturing Company in building the said dam, the two companies shall, jointly, furnish water power, or its equivalent in steam power, for the said Penitentiary, free of cost to the State for all time, the maximum power to be furnished to the Penitentiary being a power equal to one hundred horse power; but if the Congaree Manufacturing Company shall build said dam independently of the owners of the Columbia Canal, then the said Congaree Manufacturing Company shall furnish the said water power, or its equivalent in steam power, to the State Penitentiary, in the same manner and to the same extent as is hereinbefore provided.

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To furnish
water power
or equivalent
in steam to
Penitentiary.

SEC. 8. That this charter shall not go into effect until the amount of one hundred thousand dollars shall be subscribed to the capital stock of said company, and the one-fourth of said amount shall be actually paid in cash, which fact shall be certified by the President of the said company to the Secretary of State, with a list of the stockholders and the amount paid in by each. And the certificate herein required shall be sufficient evidence to the owners of the Columbia Canal of the ability of the Congaree Manufacturing Company to go on with the building of said dam: *Provided*, That the cost of building said dam and the probable damages to be caused by the flowage or elevation of water shall be, as far as practicable, ascertained before the owners of the Columbia Canal shall be required to join in the construction of said dam, or to make contributions thereto: *And provided, further*, That in case the Congaree Manufacturing Company shall fail to give the evidence of their ability to go on with the building of the dam as required in Sections 6 and 8 of this Act, and shall not have actually expended the sum of twenty thousand dollars in its construction within two years from the passage of this Act, then in that case all the rights, powers and franchises herein granted to the Congaree Manufacturing Company shall revert to and become vested in the State.

When charter
may go into
effect.

Certificates
to be filed in
Secretary of
State's office.

Certificate,
what to be
evidence of.

Cost of building
dam, &c.,
to be first as-
certained.

Rights herein
conferred,
when will re-
vert to State.

Approved March 19, 1874.

A. D. 1874.

No. 633.

AN ACT TO AMEND CHAPTER XLV OF TITLE XI, PART I, OF THE GENERAL STATUTES, RELATING TO THE REPAIRS OF HIGHWAYS AND BRIDGES.

Chapter XLV
of Title XI of
General Stat-
utes repealed.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Chapter XLV of Title XI, Part I, of the General Statutes be, and the same is hereby, repealed, and the following substituted as such Chapter:

Highway dis-
tricts, how to
be divided.

SEC. 2. That the County Commissioners of the several Counties of this State shall divide their respective Counties into highway districts, each district to contain not less than ten miles of public highways, nor more than thirty miles, to be convenient for repairing highways, and from time to time to alter the same.

Persons liable
to road duty
divisible into
companies.

Duty of
overseer.

Penalty for
neglect of duty.

SEC. 3. That for the purpose of keeping in repair highways, the County Commissioners of each County shall divide the persons liable to road duty in each highway district into convenient companies, and appoint an overseer of roads in each highway district, whose duty it shall be to have the persons before named warned out to work the said roads whenever he may deem it necessary to repair the same. He shall determine the number of days for working at each warning: *Provided*, That not more than six days are required in a year. When the Commissioner having oversight of such sections gives orders to the overseer to work the road, and he neglects to do the same, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof in a Trial Justice's Court, shall be fined in a sum not less than five nor more than ten dollars.

Persons liable
to duty subject
to direction of
overseer.

Penalty for
refusing to
work.

SEC. 4. Any person liable to road duty, who shall have been duly warned two days before the day fixed in his notice for such working, stating the hour and place of working, shall be subject to the direction of the overseer in charge. If any person of the legal age refuse to work upon the highways and roads (having no justifiable excuse) according to the direction of the overseer, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof in a Trial Justice's Court, shall be fined in a sum not less than five dollars, nor more than ten dollars, or be imprisoned in the County jail for a period of not less than five nor more than twenty days.

Duty of over-
seer when
highway is
suddenly ob-
structed.

SEC. 5. That on any extraordinary occasion, when any highway shall be suddenly obstructed by storm or otherwise, so as to require immediate labor to remove such obstruction, it shall be the duty of the overseer in whose district such obstruction occurs to proceed

forthwith to have such obstruction removed, and for this purpose shall summon to his aid a sufficient number of workmen to open and repair such highway. If any person shall, in such case, perform more days' labor than is required by law for the year, he shall be paid for any such overplus, at the rate of one dollar per day, by the County Commissioners, upon the certificate of the overseer showing that such overplus of labor was performed. If on any such extraordinary occasion the overseer shall, for the space of a day after application made to him for such purpose by any citizen residing in his district, neglect to call out a sufficient number of persons to speedily open and repair such highway, he shall forfeit and pay to the County Commissioners of his County, to be expended in the repair of highways, when and where necessary in his district, the sum of fifteen (15) dollars, unless the overseer shall show sufficient reason for such neglect, the said fifteen dollars to be collected by an action for debt, in the name of such County Commissioners, as plaintiffs, before any Trial Justice in said County. If on any such extraordinary occasion any person liable to work on highways, after being summoned for the purpose of removing such obstruction by the order of the overseer, shall neglect to turn out and assist in opening and repairing such highway, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof in any Trial Justice's Court, shall be fined three dollars per day, said fine to be collected and expended as hereinbefore provided in the matter of forfeitures of overseers.

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Persons working longer than six days entitled to pay.

Penalty in case overseer neglects his duty.

Penalty for refusing to obey warning of overseer.

Damages or injuries received on account of defective highways. When plaintiff entitled to verdict.

When plaintiff not entitled to verdict.

Penalty for County Commissioners neglecting to put highways in repair.

SEC. 6. If any person receive bodily injury or damage in his person or property through a defect in the repair of a highway, causeway or bridge, he may recover, in an action against the County, the amount of damages fixed by the finding of a jury. If such defect in any road, causeway or bridge existed before such injury or damage occurred, such damages shall not be recovered by the person so injured if his load exceeded the ordinary weight of the County where such injury or damage occurred.

SEC. 7. If, before the commencement of an action provided for in the foregoing Section, the County Commissioners tender to the plaintiff the amount which he might be entitled to recover, together with all legal costs, and the plaintiff refuse to accept the same, and does not recover upon subsequent trial a sum larger than the amount so tendered, the defendants shall recover costs and the plaintiff be entitled to the results of no verdict. If the Commissioners of any County neglect to have repaired any of the highways and bridges which by law are required to be kept in repair, they shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum not less than one hundred nor

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more than five hundred dollars, in the discretion of the Court. The County Commissioners shall authorize the overseer of any district to allow a man working one day, and also furnishing a horse, plow or cart, two days' labor; and one working himself for one day and furnishing a wagon and two horses, mules or oxen, three days' labor.

Persons liable to road duty.

SEC. 8. All able-bodied male persons between the ages of eighteen and forty-five years shall be liable annually to work on the public highways and roads not less than three nor more than six days, under the direction of the overseer of the district in which they may reside. In warning men to work upon the public roads, the overseer shall make out a list for the warner, requiring him to give notice to each person the kind of tool he shall use in working upon the highways and roads.

Overseer to make out lists.

How persons liable to duty may be relieved.

SEC. 9. That if any person, having been notified or warned as hereinbefore provided, shall pay to the County Treasurer of the County in which he may reside the sum of one dollar per day for each day's work required, the same shall be received in lieu of such labor, and shall be applied by the Commissioners of such County to the construction and repair of the highways in the districts to which they belong.

Special powers of overseers.

SEC. 10. The overseers in their respective districts shall have full power to cut down and make use of any timber, wood, earth or stone in or near the road, bridges or causeway, for the purpose of repairing the same, as to them shall seem necessary, making just compensation therefor, should the same be demanded; overseers shall not authorize the cutting down of any timber trees reserved by the owner in clearing his land or planted for the purpose of shade or ornament, either in the fields, around the springs or about the dwelling houses or appurtenances, nor the cutting down of any rail timber when other timber may be procured at or near the place, or take stone or earth from within the grounds of any person enclosed for cultivation, without the consent of the owner of the same. If any person or persons shall by any means hinder, forbid or oppose the said overseers, or either of them, from cutting down and making use of any timber, wood, stone or earth in any or near said roads or causeways, for slight repairs of bridges, for the purpose of making or repairing the same, or shall in any manner obstruct the passage of said road, causeways or bridges, by gates, fences, ditches or any other obstructions, except where authorized by law, or shall hinder, forbid or threaten any traveler from traveling any public road, and every person for such offense shall be deemed guilty of a misdemeanor, and, upon conviction thereof in a Trial Justice's Court, shall be fined in a sum not less than five nor more than ten dollars.

SEC. 11. If any person liable to perform such labor shall remove from one County to another who had, prior to such removal, performed the whole or any part of it, or in any other way has paid the whole or any part of the amount aforesaid in lieu of such labor, and shall produce a certificate or receipt of the same from the overseer of the district from which such persons have removed, such certificate or receipt shall operate as a complete discharge for the amount therein specified. The residence of any person who has a family shall be held to be where his family resides, and the residence of any other person shall be held to be where he boards in any County of this State.

A. D. 1874.

Persons performing duty in one County exempt from duty in another.

SEC. 12. That the County Commissioners in this State are hereby authorized and empowered to have special supervision of the building of new bridges over the rivers and creeks of this State; also of extra and expensive repairs of old bridges. When such work is to be accomplished, the Commissioners shall give fifteen days' notice in the County paper and in writing duly posted in the neighborhood in which such work is to be performed, giving notice that the Commissioners of the section in which such work is to be performed will be at such a place on such a day and hour, with suitable specifications to let out such work to the lowest bidder, and to take from the successful bidder sufficient bond for the faithful performance of his duty. When the work is done it shall be inspected by the Commissioner letting it out, whose duty it shall be to report the result of his investigation to the full Board, who shall accept or reject the same accordingly as they may determine, whether or not the constructor has or has not complied with the terms of his contract. If any bridge over waters of this State which constitute a boundary line between Counties shall be necessary to be erected or repaired, it shall be the duty of the Commissioners of such Counties to cause the same to be erected or repaired in the manner aforesaid, each County bearing an equal share of the expense so incurred. And when any such bridge already exists, or shall hereafter be built, it shall be the duty of said Commissioners to divide the same, by measurement from the centre; and each Board shall be responsible for the good condition of the half next adjoining the County in which they exercise the functions of office. And when it becomes necessary to build a new bridge, or to entirely replace an old one which has been carried away or destroyed, it shall be the duty of the Boards of the two Counties to do the same as aforesaid.

Duties of County Commissioners with respect to bridges.

SEC. 13. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved March 19, 1874.

A. D. 1874.

No. 634.

AN ACT TO AMEND SECTION 1, CHAPTER VIII, TITLE II, PART I,
OF THE GENERAL STATUTES OF THE STATE OF SOUTH CAROLINA,
RELATING TO THE TIME OF HOLDING GENERAL ELECTIONS.

Elections,
when to be
held hereafter.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1, Chapter VIII, Title II, Part I, of the General Statutes of the State of South Carolina be, and the same is hereby, amended so as to read as follows, viz.: "The next general election in this State shall be held, pursuant to the provisions of amendment to Article II, Section 11, of the Constitution of the State of South Carolina, on the first Tuesday following the first Monday in November, 1874; and forever thereafter on the first Tuesday following the first Monday in November in every second year, said election to be conducted in the same manner as is or may hereafter be provided by law."

SEC. 2. That all Acts or parts of Acts inconsistent with this Act, for the purposes of this Act, are hereby repealed.

Approved March 19, 1874.

No. 635. AN ACT FOR THE BETTER PROTECTION OF LAND OWNERS
AND PERSONS RENTING LAND TO OTHERS FOR AGRICULTURAL
PURPOSES, AND TO AMEND ACTS RELATING THERETO.

When owners of land may have lien on crop of tenant.

Extent of such lien.

Landlords entitled to certain rights.

Proviso.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in all cases where land is rented, either for a share of the crop or for a stipulated sum in money, or for so much cotton, corn or other product of the soil, the land so rented shall be deemed and taken to be an advance for agricultural purposes, and the land owner, upon reducing the contract of letting to writing and recording the same, as provided in Section fifty-five of Chapter one hundred and twenty of the Revised Statutes, shall have a lien on the crop which may be made during the year upon the land, in preference to all other liens existing or otherwise, to an amount not exceeding one-third of the entire crop so produced, to be applied to the satisfaction of the rent stipulated to be paid. In all such cases the landlord shall have all the rights accorded to persons advancing money and other supplies, as provided in Sections 55 and 56 of the same Chapter, to the extent of one-fourth of the crop, as above stated: *Provided*, That the

provisions of this Act shall not apply to contracts made and recorded prior to the passage of this Act.

A. D. 1874.

SEC. 2. That Section 2 of an Act entitled "An Act to amend an Act entitled 'An Act to secure advances for agricultural purposes,'" approved March 12, 1872, be, and the same is hereby, amended by striking out the words in lines five, six and seven, to wit: "Who pursue their trade or calling, not within the limits of any incorporated city, town or village within this State;" and strike out the word "blacksmiths," in line five, Section two; also, by striking out the word "ten," in the eighth line of Section two, and inserting in lieu thereof the word "twenty;" and inserting in said eighth line, between the words "mile" and "which," the words "and five dollars for each and every case of midwifery."

Section 2 amended so as to include all pursuing calling inside incorporated cities, &c.

"Blacksmiths" struck out.

"Twenty," inserted in lieu of "ten."

Fee in case of midwifery.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act are hereby repealed, so far as they relate to or conflict with this Act.

Approved March 19, 1874.

AN ACT TO AUTHORIZE THE COMPTROLLER GENERAL TO MAKE No. 636. ABATEMENTS OF TAXES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whenever any person or persons charged with taxes upon the books of any County Treasurer in this State shall declare, in writing, to said Treasurer that he or they have been erroneously or illegally charged with the same, the said County Treasurer shall submit to the County Auditor a full statement of the facts in the case, which statement shall be submitted to the inspection and recommendation of the County Board of Equalization of said County, and their endorsement thereon shall be forwarded to the Comptroller General, with such additional information thereto as the said County Auditor may give. And the Comptroller General is hereby authorized and directed to make such abatements in taxes in cases of erroneous or illegal assessments, before or after the collections upon the same shall have been made, as in his judgment the same may demand or the recommendation of the County Board of Equalization may justify.

How persons erroneously assessed may have taxes abated.

Comptroller General to make such abatement, if he deems the demand just.

SEC. 2. That in cases of abatement where parties have paid their taxes, the Comptroller General is hereby authorized and directed to give said parties orders on the Treasurer for the portion of

To give orders for refund of taxes paid.

A. D. 1874. tax abated, which shall be receivable for taxes if not paid in cash.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved March 19, 1874.

No. 637. AN ACT CONCERNING SUBMARINE SITES FOR LIGHTHOUSES AND OTHER AIDS TO NAVIGATION.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whenever the United States desire to acquire title to land belonging to the State and covered by the navigable waters of the United States, within the limits thereof, for the site of a lighthouse, beacon, or other aid to navigation, and application is made by a duly authorized agent of the United States, describing the site required for one of the purposes aforesaid, then the Governor of the State is authorized and empowered to convey the title to the United States, and to cede to the said United States jurisdiction over the same: *Provided*, No single tract shall contain more than ten (10) acres, and that the State shall retain concurrent jurisdiction so far that all process, civil or criminal, issuing under the authority of the State, may be executed by the proper officers thereof upon any person or persons amenable to the same within the limits of land so ceded, in like manner and to like effect as if this Act had never been passed.

Approved March 19, 1874.

No. 638. AN ACT TO REQUIRE THE COUNTY COMMISSIONERS OF CHARLESTON COUNTY TO OPEN A PUBLIC ROAD FROM SUMMERVILLE TO STRAWBERRY DEPOT, IN SAID COUNTY.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Charleston County be, and they are hereby, directed and required, within three months after the passage of this Act, to open and lay out a public road in said County, from Summerville, by Harmon's Church, to some point on the State Road, near Rhames' Old Mill, thence by Groomsville to Strawberry Depot, on the Northeastern Railroad.

Approved March 19, 1874.

AN ACT TO RE-CHARTER SARRAT'S FERRY, ACROSS BROAD RIVER, IN SPARTANBURG COUNTY.

A. D. 1874.

No. 639.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Sarrat's Ferry, across Broad River, in Spartanburg County, on the road leading from the town of Spartanburg in the direction of Shelbyville, North Carolina, be, and the same is hereby, re-chartered for the term of twenty years from and after the passage of this Act, and is hereby vested in Obadiah Sarrat, his heirs and assigns, with the following rates of toll, to wit: For each wagon and four or more horses, fifty cents; for each wagon and two horses, or pleasure carriage and two horses, thirty cents; for each wagon, carriage, buggy or other vehicle, with one horse, twenty cents; for each person on horseback, ten cents; for each head of horses or cattle, five cents; for each head of hogs or sheep, two cents: *Provided*, That voters going to and returning from elections, children and teachers going to and returning from school, and clergymen, shall be exempt from paying toll.

Sarrat's Ferry re-chartered

In whom vested.

Rates of ferryage.

Approved March 19, 1874.

AN ACT TO INCORPORATE THE GREENVILLE WORKING MEN'S SOCIETY. No. 640.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Benjamin L. Roberts, Thomas Lewis, Alexander Maxwell, Lewis Burkley, Sandy A. Johnson, Sanders Burns, William Thomas, E. Rainey Roberts, Samuel Thompson, Thomas Brier, Wilson Cook, Henderson Adams, Anderson Logan, Thomas Lake, Amos Tolbert, and such other persons as may now or hereafter shall be associated with them, are hereby made and declared a body politic and corporate, for the purpose of purchasing real estate, making loans of money secured by mortgage on real estate and personal property, and engaging in any laudable business for mutual benefit, by the name and style of the Greenville Working Men's Society.

Corporators.

Objects of corporation.

Corporate name.

Powers and privileges.

SEC. 2. That the association aforesaid shall have succession of officers and members, according to its by-laws, and shall have power to make by-laws not repugnant to the laws of the land, and to have, use and keep a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any Court in this State; and is hereby empowered to retain, possess and enjoy all

A. D. 1874.

such property, real and personal, as it may possess or be entitled to, or which may be hereafter purchased or in any way acquired by it, and to sell, alien or transfer the same.

SEC. 3. That this Act shall be deemed a public Act, and continue in force for the term of twenty years.

Approved March 19, 1874.

No. 641. AN ACT TO INCORPORATE THE YOUNG MEN'S CHRISTIAN SOCIETY, OF CHESTER, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That M. R. Brown, Thomas Brown, A. L. Lewis, Meek Alexander, Thomas Attles, Alfred Fair, J. Gilmore, and their associates and successors, are hereby declared a body politic and corporate, by the name and style of the "Young Men's Christian Society, of Chester, S. C.," and by that name shall have succession of officers and members, and a common seal.

Corporators.

Corporate name.

Powers and privileges.

SEC. 2. That said corporation shall be capable in law to purchase and hold real and personal property, not exceeding in value ten thousand dollars; and by its corporate name to sue and be sued, and to make such rules and by-laws as the members thereof may deem expedient and necessary for the promotion of Christian fellowship and benevolence, and for the order, good government and management thereof: *Provided*, The same are not repugnant to the laws of the land.

SEC. 3. This Act shall be deemed a public Act, and continue in force until repealed.

Approved March 19, 1874.

No. 642. AN ACT TO CHARTER THE NEWBERRY AND AUGUSTA RAILROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. M. Baxter, H. C. Corwin, W. G. Mayes, T. B. Jeter, A. H. Foster, Wm. Munro, Joseph Walker, D. R. Duncan, Joseph Crews, J. H. Evans, G. Cannon, and their associates and successors, be, and they are

Corporators.

hereby, declared a body politic and corporate, under the name and style of the Newberry and Augusta Railroad Company.

A. D. 1874.

Corporate name.

Line of road.

Invested with powers conferred by charter in Greenville and Columbia Railroad.

Proviso.

SEC. 2. That the said company are authorized to construct a railway from such point on the Spartanburg and Union Railroad as said company may determine, to the town of Newberry, and thence to the city of Augusta, in the State of Georgia, with the privilege of constructing a branch to Columbia, with all the rights, privileges and immunities granted to the Greenville and Columbia Railroad Company, and under the Act incorporating the same, and the several Acts amendatory thereof, so far as they may be applicable to the purposes of the charter hereby granted: *Provided*, That nothing shall be construed herein so as to exempt the said company from the provisions of Section 1, Chapter LXIII, of the General Statutes: *Provided, further*, That nothing herein contained shall be so construed as to exempt said company from taxation.

Subscriptions to capital stock.

Liability of stockholders.

SEC. 3. That said company is authorized to receive subscriptions to its capital stock in land or labor, as may be agreed upon between said company and said subscribers, and may acquire, by grant, purchase, lease or otherwise, any estate, real or personal, whatsoever, and to hold, use, sell, convey and dispose of the same as the interest of said company requires; and the stockholders of said company shall only be liable to the amount of the stock subscribed by said stockholders.

How Counties may subscribe.

SEC. 4. That the several Counties, cities and towns interested in the construction of said road are hereby authorized to subscribe to the capital stock of the same, in manner and form, with the same privileges and restrictions as are conferred and imposed in an Act entitled "An Act to authorize the formation of, and to incorporate, the Laurens and Asheville Railroad."

Increase of capital stock.

When may commence business.

SEC. 5. That the capital stock of said company may be increased to the sum of two million dollars; and the said company shall have authority to organize and elect its officers and Directors as soon as the sum of fifty thousand dollars shall have been subscribed, and the said stock shall be divided into shares of fifty dollars each.

SEC. 6. This Act shall be deemed a public Act, and shall continue in force for twenty-one years: *Provided*, This road shall be commenced within three years and completed within seven years from the passage of this Act.

Approved March 19, 1874.

A. D. 1874.

No. 643.

**AN ACT TO INCORPORATE THE CHESTER BUILDING AND LOAN
ASSOCIATION, OF CHESTER.**

Corporators.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Giles J. Patterson, John J. McClure, Wm. H. Brawley, John L. Agurs, John Lee, J. W. Wilkes, George W. Melton, Wm. H. Stringfellow, John Lilley, J. H. Gunhouse, David Hemphill, J. L. Harris and James M. Brawley, together with such other persons as now are, or hereafter may be, associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money; secured by mortgage on real estate or personal property, or by conveyance of the same to their members and stockholders, by the name and style of the Chester Building and Loan Association. The capital stock of said association may consist of one thousand shares; but as soon as two hundred shares are subscribed thereto, the said association may organize and commence operations; said shares to be paid by successive monthly installments of one dollar on each share so long as the said association shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines, penalties and forfeitures for default in their payments, as the regulations and by-laws of the said association may prescribe.

Corporate
name.

Capital stock.

General pow-
ers.

SEC. 2. That the said association shall have such number and succession of officers and members as shall be ordained and chosen according to the rules and by-laws made, or to be made, by them for their government; and shall have power and authority, from time to time, and at all times, to make all such rules, regulations and by-laws as are not repugnant to the Constitution and laws of the land; to have and keep a common seal, and the same to alter at will; to sue and be sued, implead and be impleaded, in any Court of this State; and shall have and enjoy every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

May acquire
and convey
real estate.

SEC. 3. That the said corporation shall have power to take, purchase and hold real estate, and to sell and transfer the same, from time to time, on such terms, and under such conditions, and subject to such regulations as may be prescribed by the rules and by-laws of said corporation: *Provided*, That the real estate held by said corporation shall not at any time exceed the value of two hundred thousand dollars.

Investment
of funds.

SEC. 4. That the funds of said corporation shall be loaned and advanced to the members and stockholders upon the security of real and personal estate, and used in the purchase of real estate for the

benefit of its members and stockholders, on such terms, and under such conditions, and subject to such regulations as may, from time to time, be prescribed by the rules and by-laws of the said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them in good faith by way of security upon its loans and advances; and may sell, alien or otherwise dispose of the same as they may, from time to time, deem expedient.

A. D. 1874.

SEC. 5. That whenever it shall occur that the funds of the corporation shall remain unproductive and uncalled-for, the corporation shall have power to lend whatever amount may be thus on hand to others than stockholders and members, for such time, and at such rates of interest, as may be established by virtue of such rules and by-laws as may be made by said corporation.

Unproductive funds may be loaned out.

SEC. 6. The said corporation shall have the right, out of its profits, to declare and pay semi-annual or annual dividends on stock held therein, whether paid up in whole or in part, according to such proportions as its rules may establish, but no dividends shall ever be paid so as to diminish the capital stock.

Dividends.

SEC. 7. That whenever the funds and assets of the said corporation shall have accumulated to such an amount that, upon a fair division thereof, each stockholder, for each and every share of stock held by him or her, shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof in property and assets, the said corporation shall then cease and determine: *Provided, however,* That in case the said corporation shall not have closed its operations and affairs as above provided for within a shorter period, then this Act shall not continue in force beyond ten years.

Division and distribution of assets.

SEC. 8. That this Act shall be deemed a public Act, and be given and received in evidence without being specially pleaded.

Approved March 19, 1874.

AN ACT TO INCORPORATE THE CO-OPERATION SOCIETY, OF YORK-
VILLE, S. C. No. 644.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. H. White, Nelson Davies, C. E. Butler, Allen Beatty, Edward Wheeler, Gilbert Dillard, Frank Edwards, and their associates and successors, be, and they are hereby, declared a body corporate and politic,

Corporators.

A. D. 1874.
 Corporate name.
 Powers and privileges.

by the name and style of Co-Operation Society, of Yorkville, S. C., for the promotion of charity and benevolence, and as such shall have succession of officers and members, and have and use a common seal, and that they have power, by their corporate name and style, to sue and be sued, to plead and be impleaded, and to make their own by-laws, not inconsistent with the laws of the land, with power to purchase and hold real and personal estate to the amount of ten thousand dollars.

SEC. 2. That this Act shall be deemed and taken as a public Act, and shall remain of force for the term of twenty-one years.

Approved March 19, 1874.

No. 645. AN ACT TO INCORPORATE THE MOUNT CARMEL METHODIST CHURCH, OF DRY CREEK, LANCASTER COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Rev. J. C. Clinton, R. Allen, D. Thompson, Samuel Girard, J. Thompson, and the officers and members of the Mount Carmel Methodist Church, now existing at Dry Creek, Lancaster County, be, and the same are hereby, incorporated and declared to be a body corporate, by the name and style of the Mount Carmel Methodist Church, of Dry Creek, Lancaster County, and by that name and style shall have succession of officers and members, and shall have a common seal.

Corporators.

Corporate name.

Powers and privileges.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any real or personal estate, not exceeding in value the sum of ten thousand dollars, and to sell, convey and dispose of the same; and by its corporate name may sue and be sued in any Court of this State; and to make such rules and by-laws, not repugnant to law, as it may consider necessary and expedient, and as shall, from time to time, be agreed upon by its members or by a majority of them.

SEC. 3. That the said corporation shall be, and is hereby declared to be, able to have, receive, retain and enjoy all such estate, real or personal, that the said corporation is now possessed or entitled to, or that has already been conveyed, given, devised or bequeathed to said corporation, or to any person or persons for the use of said corporation, by or in whatever name such conveyance, release, devise or bequest may have been made.

SEC. 4. That this Act shall be deemed and held to be a public Act, and shall continue in force until repealed.

Approved March 19, 1874.

AN ACT TO REGULATE THE SALE OF INTOXICATING LIQUORS,
AND TO ALTER AND AMEND THE LAW IN RELATION
THERETO.

A. D. 1874.

No. 646.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the provisions of Chapter eighty (LXXX) of Title fourteen, (XIV,) Part one, (I,) of the General Statutes, relating to the granting of retail and tavern licenses, be, and the same are hereby declared to be, applicable solely and confined to the granting of such licenses inside of the incorporate limits of cities, towns and villages.

Provisions of Chapter LXXX applicable only to licenses in incorporated limits of cities, &c.

SEC. 2. The proper municipal authorities of all incorporated cities, towns and villages shall have power to grant licenses to retail spirituous liquors, inside the incorporate limits of such cities, towns and villages, in quantities less than one quart, to keepers of drinking saloons and eating houses, apart from taverns, and to fix the price of the same, which shall not be less than seventy-five dollars, the person to whom the same is granted being first recommended by six respectable tax payers of his neighborhood, and entering into a bond in the sum of one thousand dollars, with three good sureties, for the keeping of an orderly house, and for the due observance of all laws relating to the retailing of spirituous liquors.

Licenses for sale of spirituous liquors inside of incorporated cities, and how obtained.

Cost of same.

On whose recommendation granted.

Bond.

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SEC. 3. The proper municipal authorities of all incorporated cities, towns and villages shall have power to grant licenses for the retailing of wine, cider, brewed or malt liquors, within the incorporate limits of said cities, towns and villages, upon the payment of a license fee of not less than twenty-five dollars, the person to whom the said license is granted being first recommended by six respectable tax payers of his neighborhood, and entering a bond in the sum of five hundred dollars, with two good sureties, for the keeping of an orderly house, and for the observance of all laws regulating the sale of such liquors, and that he will not sell any spirituous liquors or any admixture thereof.

Licenses for wines, cider, &c., how obtained.

Cost.

On whose recommendation

Bond.

SEC. 4. Any person intending to apply for a license to retail spirituous liquors in quantities less than one quart, outside of incorporate cities, towns and villages, shall file his petition with the Clerk of the Circuit Court of the County where he resides, fifteen days before the first or second session of said Court in each year, setting forth the locality and township where he proposes to retail such liquors, with a certificate of six respectable tax payers of his neighborhood that he is a person of temperate habits and good moral character, and shall pay to said Clerk a fee of two dollars for his services in connection with the

Petition for sale of spirituous liquors, with whom filed.

Recommendation.

Clerk's fee.

A. D. 1874.

Notice of application.

Petition to be submitted to grand jury.

Clerk to certify decision of grand jury to County Commissioners.

Bond.

Licenses for sale of wines, cider, &c.

Cost.

Bond.

Licenses to be exposed to public view.

Penalty for selling without license, &c.

same; and it shall be the duty of the said Clerk to place a notice on the Court House door of such application, giving the name of such person, the place of his residence, and the names of the persons recommending him, and the petition and accompanying certificate shall be submitted to the grand jury of the County, at the first ensuing term of the Court, who shall, in their presentment, report whether or not the petitioner should receive a license, and the price at which the same shall be granted, (which price shall be uniform for all applicants,) and the presiding Judge of the Circuit, unless good cause be shown to the contrary, shall order the Clerk to certify the proceedings to the County Commissioners, who thereupon shall grant a license to the person recommended by the grand jury, upon the payment of the license fee fixed by them, which shall not, in any case, be less than fifty dollars; and the person to whom the same is granted shall enter into a recognizance, with at least three good sureties, in the sum of one thousand dollars, for the keeping of an orderly house, and for the due observance of all laws relating to the retailing of spirituous liquors.

SEC. 5. The County Commissioners of the several Counties of this State shall have power to grant licenses for the retailing of wine, cider, malt and brewed liquors, in places outside of incorporated cities, towns and villages, to any person of temperate habits and good moral character who may be recommended by four respectable citizens of his neighborhood, upon the payment of a license fee of twenty-five dollars, said person to enter into a recognizance in the sum of five hundred dollars, with two good sureties, that he will keep an orderly house, and that he will not sell spirituous liquors or any admixture thereof.

SEC. 6. All persons engaged in retailing liquors under licenses granted in accordance with this Act, or under tavern licenses granted under pre-existing laws, shall expose their licenses to public view in their chief place of making sales, and no such license shall authorize sales by any person neglecting this requirement; and any person selling or retailing intoxicating liquors without a license shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty dollars nor more than two hundred dollars, or imprisoned not less than one month or more than six months, or both; and any person who shall be convicted of retailing spirituous liquors, or any admixture thereof, while engaged in retailing under a license to sell wine, cider, malt or brewed liquors, shall suffer a like punishment, and shall, beside, forfeit his license. Any person who shall be convicted twice within two years for retailing without license shall

not be entitled to receive a license for two years next succeeding the date of the last conviction, and any license granted to such person shall be utterly without effect, and shall afford no protection.

SEC. 7. Willfully furnishing any intoxicating drink, by sale, gift or otherwise, to any person of known intemperate habits, or to any person when drunk or intoxicated, or to a minor, or to any insane person, for use as a beverage, shall be held and deemed a misdemeanor, and, upon conviction thereof, the offender shall be fined not less than ten dollars nor more than one hundred dollars, and imprisoned not less than ten days or more than thirty days; and it shall be lawful for any member of the family, or blood relation, or guardian of such intemperate person or minor, and for the committee of such insane person, or for any Trial Justice of the township where any or either of such persons reside or have their legal settlement, to give a notice in writing to any person or persons engaged in retailing, selling or having intoxicating liquors, forbidding him or them, as the case may be, from furnishing such intemperate person, minor or insane person with intoxicating drinks or liquors; and if, within three months of the time of such notice, any person to whom the same is given shall furnish, or cause to be furnished, any intoxicating liquors to such intemperate person, minor or insane person, to be used as a beverage, he or they shall be held severally responsible for any injury to person or property which may occur in consequence of such furnishing, and any one aggrieved may recover damages against the person so furnishing by an action instituted in any Court of this State having jurisdiction of civil actions; and in case any wife shall give such notice, she shall be entitled to recover of the person furnishing intoxicating liquor to her husband, in an action in her own name, such damages as any Court or jury may award, for the maintenance of herself and family during the period when her husband, by reason of such furnishing, is incapable of providing for the proper support of her or them; and in any action brought in accordance with the provisions of this Section, the bond of the person furnishing intoxicating drinks or liquors shall be liable for the damages recovered to the extent of the penalty thereof, in case the same cannot be satisfied out of the property of the defendant in such action.

SEC. 8. Any person who shall be found drunk or grossly intoxicated in any street, highway, public house or public place shall be fined, upon view of or upon proof made before any Mayor or other municipal officer or Trial Justice, not exceeding five dollars; and if the same is not paid, imprisoned not exceeding five days; and any person who shall sell intoxicating liquors to such person, to be drank on the premises where sold, whereby the said person shall

A. D. 1874.

Selling liquor to known intemperate persons, minors and lunatics a misdemeanor.

How punished

Notice forbidding sale to such persons.

Wife, giving such notice, may have action against seller.

Punishment for being grossly drunk in the street, &c.

A. D. 1874.

Liability of
seller to such
person.

When suit
may be com-
menced.

Liability of
seller on ac-
count of riot or
breach of peace
on his premises

Sale of liquors
on Sunday un-
lawful.

Fee for quart
license.

No license to
be granted un-
til after pay-
ment of license
fee.

become intoxicated, shall, besides his liability under Section (7) seven of this Act, be liable to pay to the wife, parent, child or guardian of the person so found intoxicated the sum of five dollars for every such offense, to be recovered in an action of debt before any Trial Justice having jurisdiction of the person of the defendant: *Provided*, That no suit shall be instituted after ten days from the commission of the offense mentioned in this Section.

SEC. 9. Whenever any riot or other breach of the peace shall occur at or within any tavern, drinking saloon, or other place where intoxicating liquors are sold, the proprietor or keeper of such place shall be deemed and taken to be an aider and abettor in such riot or other breach of the peace, and shall be liable to be prosecuted and punished as such, unless such person can show that such riot or other breach of the peace was not caused by the persons engaged therein becoming intoxicated on said premises.

SEC. 10. It shall not be lawful for any person to sell, trade or barter any spirituous or malt liquors, cider or wine, on Sunday; and any person so doing shall be liable to a fine of not less than ten dollars or more than two hundred dollars, or imprisonment for not less than ten days or more than two months.

SEC. 11. The municipal authorities of incorporated cities, towns and villages, and the County Commissioners of Counties, shall have power to grant licenses for the selling of intoxicating liquors by the quart, upon the payment of a license fee of not less than fifty dollars; and any person to whom such license is granted who shall permit such intoxicating liquors to be drank on the premises where sold shall forfeit his license, and the same shall not be renewed within a year from the time of forfeiture. All of the provisions of Section (10) ten of this Act, forbidding the sale of liquors at certain times therein mentioned, shall be applicable to the sale of liquors as provided for in this Section, and like penalties shall be inflicted upon any person who, under licenses granted in accordance with this Section, shall make sales at the period therein prohibited: *Provided*, That no license shall be granted by the County Commissioners of any County to any person or persons recommended or applying for the same, until the person or persons so recommended or applying shall have first paid the County Treasurer of the respective County the license fee herein authorized, and shall present the receipt of the Treasurer to the County Commissioners as the evidence of said payment, which license fee shall be placed in the County fund for County purposes.

SEC. 12. It shall not be lawful for any apothecary, druggist or other persons to sell, trade or barter any bitters of which spirituous or malt liquors are an ingredient, or any other medicated liquors,

by the bottle or by the drink, to any person except upon the prescription of a regular physician, unless such apothecary, druggist or other person shall obtain a license to sell such liquors as provided in Section eleven (11) of this Act, the price of such license to be not less than fifty dollars: *Provided*, That upon obtaining such license, such apothecary, druggist or other person shall be entitled to sell other liquors as in case of persons having licenses to sell by the quart. Any apothecary, druggist or other persons violating the provisions of this Section shall, upon conviction, be subject to the same penalties as are prescribed by law for persons selling spirituous liquors under like circumstances, without a license.

A. D. 1874.

Druggist to sell liquors only upon prescription of regular physicians. Proviso.

SEC. 13. It shall be the duty of the Court, Mayor or other municipal authorities of a city, town or village, or Trial Justice, before whom any fine may be recovered in accordance with the provisions of this Act, to award to the informer or prosecutor a reasonable share thereof for his time and trouble, but not in any case exceeding one-third, and the residue, as well as the proceeds of all forfeited bonds, shall be paid to the Trustees of the public schools of the School District wherein the parties convicted reside.

Informers entitled to one-half of fines recovered.

Residue applicable to school purposes.

SEC. 2. That all Acts or parts of Acts inconsistent with and repugnant to the provisions of this Act are, for the purposes of this Act, hereby repealed.

Approved March 19, 1874.

JOINT RESOLUTIONS.

JOINT RESOLUTION TO REQUIRE EDWARD I. CAIN, SHERIFF OF ORANGEBURG COUNTY, TO GIVE A NEW OFFICIAL BOND. No. 1.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Edward I. Cain, the Sheriff of Orangeburg County, be, and he is hereby, required to make and file, with the County Commissioners of the said County of Orangeburg, within ten days after the passage of this Joint Resolution, a new official bond, with good and sufficient sureties, to be approved by them; and upon his failure, within the time above limited, to present to the said Board of County Commissioners a bond of which they shall approve, then, and in that event, the office of Sheriff of

Edward I. Cain, Sheriff of Orangeburg County, to give a new official bond.

County Commissioners to approve.

A. D. 1873.

Governor to
order an elec-
tion.

the said County be, and the same is hereby, declared to be vacated; and the said Board of County Commissioners shall notify His Excellency the Governor of the State of such failure, who shall at once order an election for the filling of said office; and the sureties on the official bond of said Sheriff shall, from the date of such notification, be, and they are hereby, relieved of all liability and responsibility on account thereof accruing subsequent thereto: *Provided*, That nothing herein contained shall be construed to relieve said sureties from any liability on account of any acts or omissions on the part of said Sheriff prior to the time herein above stated.

Proviso.

Approved December 20, 1873.

No. 2. JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF KERSHAW COUNTY TO LEVY A SPECIAL TAX.

County Com-
missioners of
Kershaw Coun-
ty to levy a
special tax to
pay past in-
debtedness.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Kershaw County be, and they are hereby, authorized and directed to levy a special tax of two (2) mills on the dollar on all the taxable property of said County for the fiscal year commencing November 1st, 1873, and continue the collection of the same each succeeding year until the sum of fifteen thousand dollars (\$15,000) shall have been collected, said sum to be used exclusively for the purpose of paying the past indebtedness of the said Kershaw County.

Persons hold-
ing claims to
file a list with
County Com-
missioners.

SEC. 2. That all persons holding claims against said County be, and they are hereby, required to file a list of such claims, with the amount and date thereof, in the office of the County Commissioners before payment thereof.

Approved December 20, 1873.

No. 3. JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF EDGEFIELD COUNTY TO LEVY A SPECIAL TAX OF THREE (3) MILLS, TO BE LEVIED AT THE TIME OF THE GENERAL TAX.

County Com-
missioners of
Edgefield
County to levy
special tax.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Edgefield County be, and they are hereby, au-

thorized to levy and collect a special tax of three (3) mills on the dollar on all the taxable property of said County, for the year ending October 31, 1874, and continue the collection of the same each succeeding year until the past indebtedness of the said County is fully paid and discharged.

A. D. 1874.

SEC. 2. That this Joint Resolution shall take effect immediately upon its passage. When to take effect.

Approved December 22, 1873.

JOINT RESOLUTION TO RELIEVE TARLETON MCGREW, OF No. 4.
ORANGEBURG COUNTY, FROM LEGAL DISABILITIES.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Tarleton McGrew, a resident of Orangeburg County, be, and he is hereby, restored to the right to testify in all the Courts of this State. Tarleton McGrew—legal disabilities removed.

Approved February 6, 1874.

JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSION- No. 5.
ERS OF CHESTERFIELD COUNTY TO CAUSE TO BE LEVIED AND
COLLECTED A SPECIAL TAX OF TWO (2) MILLS.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Chesterfield County be, and they are hereby, authorized to cause to be levied and collected, at the same time and in the same manner as the general tax is levied and collected, a special tax of two (2) mills upon the dollar on all the taxable property of the said County, said tax to be devoted exclusively to the payment of the past due indebtedness of said County. County Commissioners to levy special tax

Approved February 6, 1874.

STATUTES AT LARGE

A. D. 1874.

No. 6.

JOINT RESOLUTION TO POSTPONE THE PAYMENT OF INSTALLMENTS AND INTEREST DUE UPON LANDS PURCHASED OF THE LAND COMMISSION.

Preamble.

Whereas the present financial crisis has caused a great depression in the value of the products of the soil of this State, rendering it an impossibility for citizens who are under obligations to the State for the payment of installments due for land purchased from the Land Commission :

Payment of installments due on lands purchased from State postponed.

Secretary of State required to stay proceedings.

When to take effect.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the payment for installments and interest due upon lands purchased by citizens of this State from the Land Commission be, and they are hereby, postponed to December 7, 1874; and the Secretary of State is hereby required to stay all proceedings in the collection of the same, until the date as above mentioned.

SEC. 2. That this Joint Resolution shall take effect immediately upon its passage.

Approved February 6, 1874.

No. 7. JOINT RESOLUTION TO ALLOW JOSEPH TAYLOR, JOHN YATES AND PATIENCE MANSEL TO REDEEM CERTAIN FORFEITED LANDS.

Joseph Taylor et al. to redeem certain forfeited lands.

County Auditor to expunge from forfeited land record.

Proviso.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Joseph Taylor, John Yates and Patience Mansel, of the County of Richland, be, and they are hereby, allowed to redeem certain lands formerly owned by them in common, in said County, consisting of two hundred (200) acres, more or less, which have become forfeited to the State by virtue of the non-payment of taxes and the want of bidders at the sale of the same, on condition that they shall pay over to the County Treasurer of Richland County all taxes, penalties and costs which are due upon the same; after which the County Auditor shall expunge the said lands from the forfeited land record of the County of Richland; and, also, one piece of land in the city of Columbia, forfeited in the name of Partena Mansel, through an error in the Auditor's office, belonging to Patience Mansel: *Provided*, That said Patience Mansel pay all taxes and costs that may be due.

Approved February 12, 1874.

JOINT RESOLUTION TO APPOINT A COMMITTEE TO INVESTIGATE THE FINANCIAL AFFAIRS OF BARNWELL COUNTY.

A. D. 1874.

No. 8.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That O. Hewitt, F. J. Cassidy, A. C. Dibble, W. A. Nerland and J. M. Hutson, be, and they are hereby, appointed a Committee to investigate the financial condition of Barnwell County; and that said Committee have power to send for persons and papers, to administer oaths and to take testimony concerning all transactions or payments of money by the County Commissioners, County Treasurer, or other officers of said County, from the 1st day of January, A. D. 1870, to the present date, and so report the result of their investigation to the first term of the Circuit Court in said County after the completion thereof: *Provided*, That said Committee receive only such compensation as may be allowed by the Circuit Judge.

Commission to investigate financial condition of Barnwell County.

Proviso.

Approved February 12, 1874.

JOINT RESOLUTION TO RELIEVE L. H. RUSSELL, LATE TREASURER OF ABBEVILLE COUNTY, AND HIS BONDSMEN, FROM RESPONSIBILITY.

No. 9.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That L. H. Russell, late Treasurer of Abbeville County, and his bondsmen in said office, be, and they are hereby, relieved from all responsibility on account of any moneys ever in the hands of said L. H. Russell, as Treasurer as aforesaid. The State Treasurer and the County Commissioners of Abbeville County are hereby authorized and directed to give the said Russell full acquittance and release for all such moneys as aforesaid.

L. H. Russell and his bondsmen relieved from responsibility.

Approved February 13, 1874.

JOINT RESOLUTION AUTHORIZING AND DIRECTING THE COUNTY COMMISSIONERS OF THE COUNTY OF CHARLESTON TO OPEN A PUBLIC HIGHWAY ON WADMALAW ISLAND.

No. 10.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners

A. D. 1874.

County Commissioners to open certain road on Wadmalaw Island.

of the County of Charleston be, and they are hereby, authorized and directed to open a public highway on Wadmalaw Island, commencing at Enterprise Landing, running through Little Liberia to Kill Corner, on said Island.

Approved February 13, 1874.

No. 11. JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF SOUTH CAROLINA, RELATIVE TO THE TERMS OF OFFICE OF COMPTROLLER GENERAL, SECRETARY OF STATE, TREASURER, ATTORNEY GENERAL, ADJUTANT AND INSPECTOR GENERAL, AND SUPERINTENDENT OF EDUCATION.

Amendment to Constitution relative to term of office of State officers.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following amendment to the Constitution of the State of South Carolina, relative to the term of office of Comptroller General, Secretary of State, Treasurer, Attorney General, Adjutant and Inspector General and Superintendent of Education, be submitted to the qualified electors of the State at the next general election, and if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment, and two-thirds of each branch of the next General Assembly shall, after such election and before another, ratify the same amendment by yeas and nays, it shall be part of the Constitution, to wit: Strike out of Section 23 of Article III the word "four," occurring in the third line, and insert the word "two," so that the Section of the Constitution will read, when amended, as follows:

General Assembly to ratify same.

Word "four" stricken out and "two" inserted.

Section 23, Article III of Constitution, how to read.

"SECTION 23. There shall be elected by the qualified voters of the State a Comptroller General, Secretary of State, Treasurer, Attorney General, Adjutant and Inspector General, and Superintendent of Education, who shall hold their respective offices for the term of two years, and whose duties and compensation shall be prescribed by law."

Manner of voting.

That the question of adopting this amendment shall be submitted to the electors as follows: Those in favor of the amendment shall deposit a ballot with the following words written or printed thereon: "Constitutional Amendment—Yes." Those opposed to said amendment shall cast a ballot with the following words written or printed thereon: "Constitutional Amendment—No."

Approved February 19, 1874.

JOINT RESOLUTION TO MAKE A CERTAIN ROAD IN UNION COUNTY, CONNECTING THE GLENN SPRINGS ROAD WITH THE COLUMBIA ROAD AT ENOREE CHURCH, A PUBLIC HIGHWAY.

A. D. 1874.

No. 12.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a certain road in Union County, commencing on the Glenn Springs Road, at John Sims' plantation, and running thence through the lands of F. H. Bates, J. and T. W. Johnson, John Ray, Jesse Graham, John R. Minters and estate of W. C. Harris, to Enoree Church, on the Columbia Road, and crossing Tyger River at Minter's Bridge, is hereby established and made a public highway, subject to the same repair, supervision and control by the County Commissioners as the other public highways of said County.

Certain road
in Union
County made
public.

Approved March 3, 1874.

JOINT RESOLUTION WITH REFERENCE TO THE PAST INDEBTEDNESS OF SPARTANBURG COUNTY.

No. 13.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Spartanburg County be, and they are hereby, authorized to use one mill of the three mills levied for County purposes at this session of the General Assembly, the same to be applied exclusively to the payment of past indebtedness of said County, except the past indebtedness incurred for building of bridges: *Provided*, That the past indebtedness for dieting prisoners and for services of jurors and Constables of the Circuit Court are first paid.

County Commissioners to use one mill of special tax in payment of past indebtedness.

Approved March 3, 1874.

JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF LAURENS COUNTY TO LEVY AND COLLECT A SPECIAL TAX OF THREE MILLS ON THE DOLLAR, FOR THE PAYMENT OF THE PAST INDEBTEDNESS OF THE SAID COUNTY.

No. 14.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Laurens County be, and they are hereby, authorized and directed to levy and collect a special tax of three mills on the dollar on the

County Commissioners to levy special tax of three mills.

A. D. 1874. taxable property of the said County, said tax to be devoted exclusively to the payment of the past indebtedness of the County.

Approved March 3, 1874.

No. 15. JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF LANCASTER COUNTY TO LEVY AND COLLECT A SPECIAL TAX OF TWO MILLS ON THE DOLLAR FOR THE PAYMENT OF THE PAST INDEBTEDNESS OF THE SAID COUNTY.

County Commissioners to levy special tax of two mills.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Lancaster County be, and they are hereby, authorized and directed to levy and collect a special tax of two mills on the dollar on the taxable property of the said County; said tax to be devoted exclusively to the payment of the past indebtedness of the County.

Approved March 3, 1874.

No. 16. JOINT RESOLUTION TO MAKE AN APPROPRIATION TO PAY CERTAIN CLAIMS, AND FOR OTHER PURPOSES.

Appropriation to pay claims of P. F. Frazee.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of nineteen thousand dollars be, and the same is hereby, appropriated for the payment of pay certificates issued by the authority of the General Assembly, and bills payable or treasury notes of the late State Treasurer, Niles G. Parker, together with the interest on the said certificates and bills payable, at the rate of seven per cent. per annum, held as the claims of Phineas F. Frazee against the State of South Carolina, which have already been passed upon, but no appropriation made for the payment of by the General Assembly.

Claim of W. E. Rose.

. That the sum of six thousand seven hundred and seventy-two dollars and eighty-six cents, be, and the same is hereby, appropriated for the payment of a pay certificate, issued December 1, 1873, in favor of W. E. Rose, for claims passed by the General Assembly, held by him against the State of South Carolina, for which no appropriation was made to pay.

That the sum of eleven hundred dollars be, and the same is hereby, appropriated to pay the pay certificates authorized by the General Assembly, and held by Felix Cardarelli as claims against the State of South Carolina, together with the interest on the said certificate at the rate of seven per cent. per annum. And the State Treasurer is hereby directed and required, upon the presentation at his counter, by the said Phineas F. Frazee, W. E. Rose, or Felix Cardarelli, or their authorized agents, of the said claims, to pay the same. And the State Treasurer shall, and he is hereby required, on the presentation of the aforesaid claims, to issue to the said Phineas F. Frazee, W. E. Rose, Felix Cardarelli, or their authorized agents, upon their demand, certificates of indebtedness to the amount of their several claims, which certificates shall be redeemed by the said Treasurer out of moneys collected from the taxes for the fiscal year commencing November 1, 1874, or receivable in payment of all taxes or other dues to the State for the said fiscal year, except for the payment of the interest on the public debt, or the tax levied for the support of public schools.

A. D. 1874.
 Claim of Felix Cardarelli.

State Treasurer to issue certificates of indebtedness.

Approved March 9, 1874.

JOINT RESOLUTION TO RELIEVE THE CITIZENS OF UNION COUNTY FROM PAYING TAXES ON THE ASSESSMENT OF REAL ESTATE MADE IN THE YEAR 1873. No. 17.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the balance of the taxes to be collected upon the real property of Union County shall be collected upon the assessment made for the year 1872.

Assessment of property in Union County to be re-equalized.

SEC. 2. That the County Board of Equalization for Union County are hereby required to meet on the second Monday in September next to equalize the real property of said County, according to law, which assessment, if legally done, shall stand as the assessment upon which taxes are to be paid until the next regular assessment.

Approved March 14, 1874.

A. D. 1874.

No. 18.

JOINT RESOLUTION AUTHORIZING AND EMPOWERING LYTTLETON DANIEL, A TRIAL JUSTICE, OF CHESTER COUNTY, TO EXERCISE THE FUNCTIONS OF HIS OFFICE IN ANY PORTION OF THE CORPORATE LIMITS OF THE TOWN OF BLACKSTOCK.

Lyttleton Daniel to exercise functions of his office in town of Blackstock.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Lyttleton Daniel, a Trial Justice in and for the County of Chester, be, and he is hereby, authorized and empowered to exercise the functions of his office in all that portion of Fairfield County embraced in the corporate limits of the town of Blackstock.

SEC. 2. All Acts or parts of Acts conflicting with the provisions of this Act are hereby repealed.

Approved March 14, 1874.

No. 19. JOINT RESOLUTION AUTHORIZING AND REQUIRING THE STATE TREASURER TO PAY TO THE COUNTY TREASURER OF GREENVILLE COUNTY THE SUM OF TEN THOUSAND AND FIFTY DOLLARS, TO BE APPLIED TO FREE SCHOOL PURPOSES.

Preamble.

Whereas the County of Greenville has not received its apportionment of the free school fund, amounting to ten thousand and fifty (10,050) dollars, for the fiscal year ending the 31st day of October, 1873, in consequence of the default of the late County Treasurer; and whereas the said County Treasurer held claims against the State largely in excess in their amounts to the said apportionment, which were bought up with public funds, paid in by the tax-payers of Greenville County, and which have been attached in proceedings instituted by the Attorney General, on his official bond; and whereas it would be manifestly unjust that the County of Greenville should bear more than its proportional share of the loss, if any, resulting from the default of the said County Treasurer; now, therefore,

State Treasurer to pay County Treasurer of Greenville certain school moneys.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized and required to pay to the County Treasurer of Greenville County the sum of ten thousand and fifty dollars, to be applied to free school purposes in Greenville

County on claims for the fiscal year ending October 31st, 1873: *Provided*, The sum be paid *pro rata* out of any money arising from phosphate royalty or from taxes due and unpaid for any year prior to the fiscal year 1873-74.

A. D. 1874.
Proviso.

Approved March 14, 1874.

JOINT RESOLUTION TO REQUIRE THE COUNTY TREASURERS OF NEWBERRY AND MARION COUNTIES TO DISTRIBUTE THE MONEYS COLLECTED UNDER AND BY VIRTUE OF THE ACT APPROVED FEBRUARY 20TH, 1873, FOR THE PAYMENT OF THE PAST DUE INDEBTEDNESS OF SAID COUNTIES PRO RATA AMONG THE CLAIMS WHICH WERE REGISTERED AND ESTABLISHED IN PURSUANCE OF THE PROVISIONS OF SAID ACT.

No. 20.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurers of the Counties of Newberry and Marion be, and they are hereby, required to distribute the moneys collected by them in accordance with the Act entitled "An Act to authorize the County Commissioners of certain Counties to levy and collect an additional tax for certain purposes," approved February 20th, 1873, for the payment of the past due indebtedness of said County *pro rata* among all claims which have been registered in pursuance of the provisions of said Act; and the Commissioners of the said Counties of Newberry and Marion shall draw their warrants upon the said County Treasurers for the *pro rata* proportion of the claims so registered and established: *Provided*, That all claims which were created against said Counties between the day of the passage of said Act, approved February 20, 1873, and the first day of November, 1873, on or before which time the said Act required all claims to be registered in the office of the Clerks of the Courts of said Counties, to be considered as past due indebtedness, and be paid in the same manner as those claims registered before said first day of October, 1873: *Provided*, That the class of claims herein referred to be registered in the office of said Clerks of the Courts within thirty days from the passage of this Joint Resolution: *Provided, further*, That to the County Commissioners of the Counties herein named be reserved the full and sole power to disallow, either in whole or in part, any of the said claims which are not registered in accordance with the provisions of this Joint Resolution and the Act it tends to modify, and it be made the duty of the said County Commissioners to draw their warrants upon the County Treasurers for the payment herein provided within sixty days.

County Treasurers of Newberry and Marion Counties to distribute County funds collected *pro rata*.

Proviso.

Claims to be registered by Clerk of Court.

Approved March 14, 1874.

A. D. 1874.

No. 21.

JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF SOUTH CAROLINA, RELATIVE TO THE INCREASE OF THE DEBT OF COUNTIES, CITIES AND TOWNS.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, two-thirds of both Houses concurring, That the following Article be submitted to the qualified electors of the State at the next general election for Representatives, as an amendment to the Constitution of the State, which, if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment, and two-thirds of each branch of the next General Assembly shall, after such an election, and before another, ratify the same, shall become part of the Constitution, namely:

Counties and towns not to loan credit in excess of five per centum without approval of majority of electors.

"ARTICLE XVII. The General Assembly shall not authorize any County, city, town or village to become a stockholder in, or to loan its credit to any company, association or corporation for any amount in excess of five per centum of the assessed value of the taxable property of such County, city, town or village, not without the approval of a majority of the legal voters of such County, city, town or village, expressed at an election duly held according to law."

Manner of voting.

That the question of adopting this amendment shall be submitted to the electors, as follows: Those in favor of the amendment shall deposit a ballot with the following words written or printed thereon: "Constitutional Amendment, Article XVII—Yes." Those opposed to the amendment shall cast a ballot with the following words written or printed thereon: "Constitutional Amendment, Article XVII—No."

Approved March 14, 1874.

No. 22. JOINT RESOLUTION TO PROVIDE AN APPROPRIATION FOR REPAIRING THE STATE HOUSE, AND FENCES ENCLOSING THE GROUNDS OF THE SAME, AND FOR OTHER PURPOSES HEREIN MENTIONED.

Ten thousand dollars appropriated to repair State House and grounds.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of ten thousand dollars, if so much be necessary, is hereby appropriated, to be paid by the State Treasurer to the Secretary of State,

out of the State phosphate revenues, for the purpose of having the roof of the State House properly repaired and made weather proof, the first floor of the same properly paved or floored, the grounds of the same properly graded, and the fences enclosing the grounds put in repair, or replaced by new fences, as may be deemed necessary. That the sum of one thousand dollars, if so much be necessary, is hereby appropriated to remove the Palmetto Tree to its proper place in front of the State House, and to repair the same to its proper condition, under the supervision of the Secretary of State.

A. D. 1874.

One thousand dollars appropriated to repair and remove Palmetto Tree.

SEC. 2. That the Secretary of State is hereby authorized and required to take supervision and control of said repairs, and after due advertisement in a newspaper published in the city of Columbia for at least two weeks, let out the same under contract to the lowest bidder, who shall furnish a bond for the faithful execution of the said work, as provided in Section 1 of this Resolution; and the said Secretary of State shall make report of his action in these premises to the next session of the General Assembly.

Repairs to be made under supervision of Secretary of State.

Approved March 14, 1874.

JOINT RESOLUTION PROVIDING THAT THE HON. C. BARING FARMER BE ALLOWED COMPENSATION FOR HOLDING SPECIAL COURTS. No. 23.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Hon. C. Baring Farmer be paid a compensation of two hundred dollars for holding Special Terms of Court, under appointment of His Excellency Governor Moses, on the second Monday in March, eighteen hundred and seventy-three, in Barnwell County, and on the first Wednesday in April, eighteen hundred and seventy-three, for the County of Aiken.

\$200 allowed C. Baring Farmer, for holding extra Courts.

SEC. 2. That said sum of two hundred dollars be paid to the Hon. C. Baring Farmer by the State Treasurer, on the warrant of the Comptroller General, drawn upon the civil contingent fund.

Approved March 14, 1874.

A. D. 1874.

No. 24.

JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF
CERTAIN CLAIMS THEREIN NAMED.Appropriation to pay
Berry's claim.

Claim of Aiken Tribune.

Claim of George Symmers.

Claim of A. Palmer.

Claim of Southern Standard.

Claim of Union Herald.

Claim of Charleston Chronicle.

Claim of Howie & Allen.

Claim of J. Evans Britton.

State Treasurer to issue
certificates of indebtedness to
Berry et al.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of eleven thousand nine hundred and six dollars and fifty-six cents, (\$11,906.56) or so much thereof as may be necessary, be, and the same is hereby, appropriated for the payment of the claims owned and held by M. H. Berry and others, as follows: Legislative pay certificates for the years 1871, 1872 and 1873, amounting to the sum of \$11,906.56; the sum of three thousand and eleven dollars and fifty cents is also appropriated for the payment of the claim of the Aiken Tribune, passed by the two Houses of the General Assembly at the present session; also the sum of twelve thousand dollars, for the payment of the claims of George Symmers; also the sum of six thousand two hundred and eighty dollars, for the payment of the claims of A. Palmer; also the sum of twenty-nine hundred and twenty-three dollars, for the payment of the claim of the Beaufort Southern Standard; also, the sum of two thousand three hundred dollars, for the claim of the Columbia Union-Herald; also, the sum of five thousand four hundred dollars, for the payment of the claim of the Charleston Chronicle; also, the sum of six thousand two hundred and ten dollars and thirty-three cents, for the payment of the claims of Howie & Allen; also, the sum of seven thousand seven hundred and forty-seven dollars, for the payment of the claim of J. Evans Britton.

SEC. 2. That the State Treasurer be, and he is hereby, authorized and required, upon presentation of the aforesaid legislative pay certificates as provided for in Section 1 of this Joint Resolution, to issue to the said M. H. Berry, and others, certificates of indebtedness to the amount of the above appropriations in such sums as he, or they, the said M. H. Berry and others, may desire; said certificates to be redeemed out of any incoming taxes paid into the State Treasury for the fiscal year commencing November 1, 1874; and the State Treasurer is further authorized and directed to issue to Henry Sparnick certificates of indebtedness in the sum of three thousand and eleven dollars and fifty cents, in payment of the claim of the Aiken Tribune, passed by the General Assembly at the present session, said certificates to be redeemed out of any incoming taxes paid into the State Treasury for the fiscal year commencing November 1, 1874.

Approved March 16, 1874.

JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF THE CLAIMS FOR LEGAL SERVICES OF C. D. MELTON AND D. H. CHAMBERLAIN, ESQUIRES, AND J. D. POPE, ESQUIRE, AND OTHERS. A. D. 1874.
No. 25.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following sums be, and the same are hereby, appropriated, that is to say: The sum of eight thousand and eight hundred dollars, to pay the claim of D. H. Chamberlain, Esq., for professional services rendered the State; the sum of three thousand and five hundred dollars, to pay the claim of C. D. Melton, Esq., for professional services rendered the State; and the sum of five hundred dollars, to pay the claim of J. D. Pope, Esq., for professional services rendered the State; also, the sum of thirteen hundred and two dollars, for the payment of the services of S. H. McCoy, L. T. Green, Morris Wardlaw, James Wells and T. J. Gregory. Appropriation to pay claim of D. H. Chamberlain.
Claim of C. D. Melton.
Claim of J. D. Pope.
Claims of S. H. McCoy *et al.*

SEC. 2. That the State Treasurer be, and he is hereby, authorized to pay the said several sums to the parties entitled thereto, out of any money in the State Treasury not otherwise appropriated. Said claims, out of what funds payable.

Approved March 16, 1874.

JOINT RESOLUTION DIRECTING THE STATE TREASURER TO REFUND TO ROBERT CHISOLM, JR., TRUSTEE, TWELVE HUNDRED DOLLARS, TAXES OVERPAID BY HIM. No. 26.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized and directed to refund to Robert Chisolm, Jr., Trustee, the sum of twelve hundred (1,200) dollars, being the amount of taxes overpaid by him. Refund of taxes to R. Chisolm.

Approved March 17, 1874.

A. D. 1874.

No. 27.

JOINT RESOLUTION TO AUTHORIZE AND EMPOWER THE TRUSTEES OF THE GREELEY INSTITUTE, IN ANDERSON COUNTY, TO ELECT THREE SPECIAL TRUSTEES, AND TO CONVEY THE PROPERTY BELONGING TO THE SAME TO THEM IN TRUST, AND FOR OTHER PURPOSES THEREIN MENTIONED.

Special Trustees appointed, and duties.

To elect Teachers.

Pay of same.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the present Board of Trustees of the Greeley Institute, in Anderson County, are hereby authorized and empowered to elect three Special Trustees, to whom they shall convey the property of said Institute, to be held by them and their successors in office, in trust, for the benefit of the said Institute; and it shall be the duty of said Special Trustees to take entire control of said Institute, and are hereby empowered to elect such teachers and assistant teachers as they may deem necessary; and such teachers shall be recognized by the School Commissioner of Anderson County as lawful teachers; and it is hereby made the duty of said School Commissioner to draw his warrants on the County Treasurer for the payment of their services, said warrants to be paid on presentation by the County Treasurer of Anderson County out of any funds in his possession appropriated for school purposes: *Provided*, Said Trustees shall not employ more than one principal teacher and two assistant teachers: *And, provided, further*, That the principal teacher shall not receive less than fifty dollars nor more than seventy-five dollars per month, and that the assistants shall not receive less than thirty-five dollars nor more than fifty dollars per month.

SEC. 2. That all Acts or parts of Acts, Joint Resolutions or parts of Joint Resolutions, so far as they conflict with the provisions of this Resolution, be, and the same are hereby, repealed.

Approved March 17, 1874.

No. 28. JOINT RESOLUTION TO APPOINT TRUSTEES UNDER THE WILL OF THE LATE DR. JOHN DE LA HOWE.

Trustees of will of Dr. Jno. De La Howe.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That C. B. Guffin, James Wharton, Thomas Finley and Thomas Christian be, and they are hereby, appointed Trustees under the will of the late Dr. John De La Howe, in accordance with the provisions of Section 2, Chapter XXXI, Title VIII, Part I, of the General Statutes.

Approved March 17, 1874.

JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF FAIRFIELD COUNTY TO LEVY AND COLLECT A SPECIAL TAX OF ONE AND ONE-HALF MILLS ON THE DOLLAR FOR THE PAYMENT OF THE PAST INDEBTEDNESS OF SAID COUNTY.

A. D. 1874.

No. 29.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Fairfield County be, and they are hereby, authorized and required to levy and collect, at the time of the collection of the regular tax, a special tax of one and one-half mills on the dollar on the taxable property of the said County, said tax to be devoted exclusively for the payment of the past indebtedness of said County.

County Commissioners to pay one and one-half mills for past indebtedness.

Approved March 17, 1874.

JOINT RESOLUTION TO CHANGE THE NAMES OF HORACE H. MOSES, EMMA HENRIETTA MOSES, HIS WIFE, AND MABEL AND ISAAC H. MOSES, THEIR CHILDREN, TO HORACE H. HARBY, EMMA HENRIETTA HARBY, MABEL HARBY AND ISAAC H. HARBY, RESPECTIVELY.

No. 30.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the names of Horace H. Moses, Emma Henrietta Moses, his wife, and Mabel and Isaac H. Moses, their children, of Sumter County, are hereby changed to Horace H. Harby, Emma Henrietta Harby, Mabel Harby and Isaac H. Harby, respectively, and that hereafter the said Horace H. Moses, Emma Henrietta Moses, Mabel Moses and Isaac H. Moses, shall be known and called Horace H. Harby, Emma Henrietta Harby, Mabel Harby and Isaac H. Harby.

H. Moses et al., names changed to Harby.

Approved March 17, 1874.

JOINT RESOLUTION TO REQUIRE ALL PERSONS HOLDING CLAIMS AGAINST THE COUNTY OF CLARENDON TO FILE A LIST OF SUCH CLAIMS IN THE OFFICE OF THE CLERK OF THE COURT.

No. 31.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons hold-

A. D. 1874.

All claims to
be registered.

ing claims against the County of Clarendon be, and they are hereby, required to file a list of such claims, with the amounts and dates thereof, in the office of the Clerk of the Court, within ninety days from and after the passage of this Joint Resolution.

SEC. 2. That it shall be the duty of the Treasurer of said County to pay said claims in the order of their priority, out of any funds provided for the payment of said claims.

Approved March 17, 1874.

No. 32. JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE GOVERNOR TO APPOINT TWO ADDITIONAL TRIAL JUSTICES FOR COLLETON COUNTY.

Two additional
Trial Justices
for Colleton
County.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor be, and he hereby is, authorized and required to appoint two additional Trial Justices for Colleton County.

Approved March 17, 1874.

No. 33. JOINT RESOLUTION TO REQUIRE THE COUNTY COMMISSIONERS OF UNION COUNTY TO APPLY THE PROCEEDS OF ONE MILL OF THE TAX OF THREE MILLS LEVIED BY THIS GENERAL ASSEMBLY, AT ITS PRESENT SESSION, FOR COUNTY PURPOSES, TO THE PAYMENT OF PAST INDEBTEDNESS OF SAID COUNTY.

County Commissioners
to use one mill of
tax for past in-
debtedness.

Moneys to be
paid out *pro*
rata.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Union County be, and they are hereby, authorized and required to apply the proceeds of one mill of the tax of three mills levied upon the taxable property of the County of Union by this General Assembly, at its present session, for County purposes, to the payment of the past indebtedness of said County: *Provided*, That the sum so to be applied shall be paid rateable to the holders of said indebtedness.

Approved March 17, 1874.

JOINT RESOLUTION TO RELIEVE STEPHEN D. RUSSELL,
DEPUTY COUNTY TREASURER, AND WILLIAM GURNEY, COUNTY
TREASURER, OF CHARLESTON COUNTY, OF RESPONSIBILITY
AND LIABILITY FOR CERTAIN MONEYS LOST BY FIRE.

A. D. 1874.

No. 34.

Whereas certain moneys belonging to the State, collected as taxes by Stephen D. Russell, Deputy County Treasurer of the County of Charleston, were lost by fire, wherein the said Stephen D. Russell was not in default, and the said destruction was unavoidable; therefore,

Preamble.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Stephen D. Russell, of St. Stephen's, Deputy County Treasurer of the County of Charleston, be, and he is hereby, relieved from all responsibility to William Gurney, County Treasurer of Charleston County, for and on account of certain moneys, amounting to the sum of five hundred and ninety-two 27-100 (592.27) dollars, collected by the said Stephen D. Russell for taxes due to the State and the County of Charleston, which was lost by fire on the 31st of January, 1873, at St. Stephen's, in said County; and that the said William Gurney, as County Treasurer of Charleston County, be, and he is hereby, relieved of all liability to the State and County for and on account of the said sum of five hundred and ninety-two 27-100 (592.27) dollars so lost and destroyed.

Russell and Gurney relieved of responsibility on account of moneys lost by fire.

Approved March 17, 1874.

JOINT RESOLUTION PROVIDING FOR RE-ASSESSMENT OF REAL ESTATE IN 1874. No. 35.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an assessment of the real property in this State shall be made in the year one thousand eight hundred and seventy-four, at the same time that the assessment of personal property is made, and in the manner, and according to the rules, prescribed for the assessment of real property in the Act to provide for the assessment and taxation of property, passed the fifteenth day of September, 1868.

Assessment of real property in 1874.

Approved March 17, 1874.

- A. D. 1874. **JOINT RESOLUTION AUTHORIZING THE ATTORNEY GENERAL TO INSTITUTE LEGAL PROCEEDINGS FOR THE RECOVERY OF POSSESSION OF THE PROCEEDS OF STATE PROPERTY SOLD BY THE SINKING FUND COMMISSION.**
- No. 36.

Attorney General to institute proceedings for recovery of moneys from Commissioners of Sinking Fund, &c.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Attorney General be, and he is hereby, authorized and directed to institute legal proceedings for the collection and recovery of all moneys and securities in the hands or possession of any of the former Commissioners of the Sinking Fund, belonging to the Sinking Fund, and of all moneys or rent due the said Sinking Fund on bond, note, claim, lease or otherwise; also, that he be authorized and directed to ascertain whether the condition upon which the sale of the stock owned by the State in the Blue Ridge Railroad Company was made by the Commissioners of the Sinking Fund have been complied with, and, if not, to institute legal proceedings to enforce compliance with them.

Also for recovery of certain bonds.

SEC. 2. That the Attorney General be, and he is hereby, authorized and directed to institute legal proceedings for recovering possession of the bonds of the State of South Carolina purchased by William B. Gulick, Esq., Treasurer of the Sinking Fund Commission, by order of the Commissioners, and with moneys belonging to the said Sinking Fund.

Approved March 19, 1874.

- No. 37. **JOINT RESOLUTION TO APPOINT A COMMITTEE TO INVESTIGATE THE FINANCIAL AFFAIRS OF CLARENDON COUNTY.**

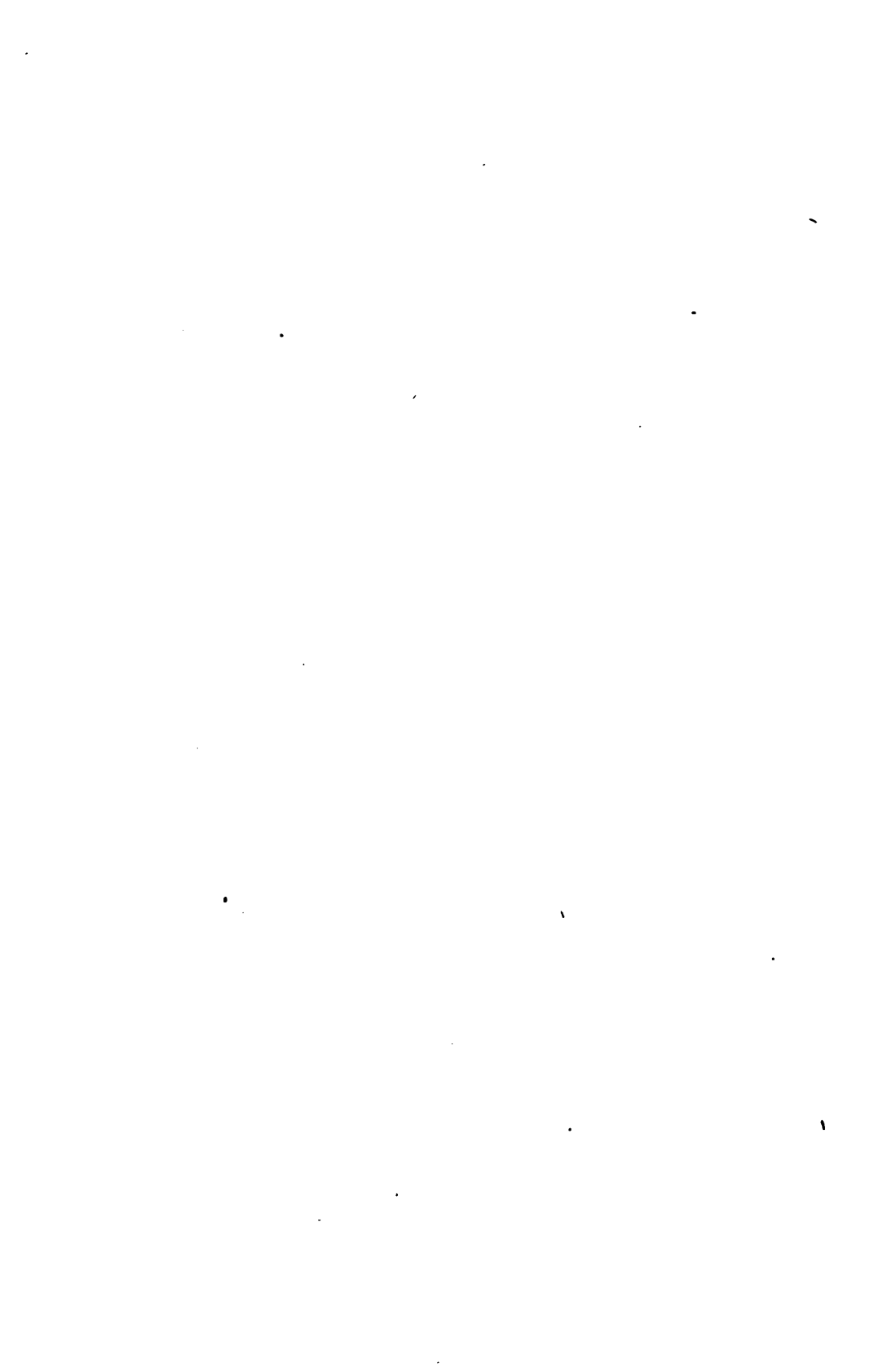
Committee to investigate financial affairs

Powers and duties.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. L. Reynolds, S. Warren Nelson, William Cantey, P. A. Logan, be, and they are hereby, appointed a Committee to investigate the financial condition of Clarendon County, and that said Committee have power to send for persons and papers, to administer oaths, and to take testimony concerning all transactions or payments of money by the County Commissioners or other officers of said County from the first day of January, A. D. 1870, to the present date, and to report the result of their investigations to the first term of the Circuit Court in said County after the completion thereof.

Approved March 19, 1874.

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